



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2018

CORAM:

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].Nos.17299 & 17300 of 2018

1.Selvaraj
2.Balu
3.Ravi @ Ravichandran :Petitioners/Accused 1 to 3
in Crl.O.P.[MD].No.17299 of 2018

Shankar :Petitioner/1st Accused
in Crl.O.P.[MD].No.17300 of 2018

Vs.

1.State Represented by
The Inspector of Police,
Avudaiyar Kovil Police Station,
Pudukottai District. :Respondent/Complainant
(Crime No.65/1988) in both petitions

2.Tamilmani
3.Ravi
4.Indirani @ Indra
5.Sumathi :Respondents 2 to 5/LW-2 to5
(Injured witnesses)in both petitions

COMMON PRAYER : Criminal Original Petitions filed under Section 482 of Cr.P.C. to call for records pertaining to the charge sheet in S.C.Nos.63 and 128 of 1996 on the file of the Assistant Sessions Court, Pudukottai and quash the same.

(In both petitions)

For Petitioners: Mr.T.Lenin Kumar

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

**COMMON ORDER**

The present Criminal Original Petitions have been filed to quash the proceedings S.C.Nos.63 and 128 of 1996, on the file of the learned Assistant Sessions Judge, Pudukottai.

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2. The cases are still at the stage of final report. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise have been filed before this Court which have been signed by the petitioners and the respondents 2 to 5 (victims) and also by their respective counsel. The petitioners and the the respondents 2 to 5 were also present in person before this Court and they were identified by Mr.K.Pandiaraj, Sub-Inspector of Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.C.Nos.63 and 128 of 1996.

5. These Criminal Original Petitions stand allowed and as a sequel, the proceedings in S.C.Nos.63 and 128 of 1996,, on the file of the learned Assistant Sessions Judge, Pudukottai, are quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner in CrI.O.P.[MD].No.17300 of 2018 (Shankar) shall pay a sum of Rs.1,000/- (Rupees One Thousand only), and Each of the petitioners in CrI.O.P.[MD].No.17299 of 2018 shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar (CO)

// True Copy //



Encl: Joint Compromise Memo.

To

- 1.The Assistant Sessions Judge,
Pudukottai.
- 2.The Inspector of Police,
Avudaiyar Kovil Police Station,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+ 2 CC TO MR.T.LENIN KUMAR, ADVOCATE IN SR NO.87043 & 87044

LS

BU/PM/SAR-2 :08.10.2018 : 3P/7C

Cr1.O.P.[MD].Nos.17299 & 17300 of 2018
26.09.2018