



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P. [MD].No.17546 of 2018

WEB COPY

1. Markandan

2. Thavamari @ Mariselvam : Petitioners/Accused Nos.1 & 2

Vs.

1. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District. : 1st Respondent/Complainant

2. Suthandrarajan : 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in Crime No.403 of 2016 pending investigation on the file of the first respondent police and quash the same.

For Petitioners : Mr.S.Muniyandai

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1.Side)

For R2 : Mr.M.Muthukumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.403 of 2016 pending investigation on the file of the first respondent police for an offences under Sections 294(b), 341, 324 of IPC.

2. The case is under investigation. 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 second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by M.Ravichandran, SSI of Police and they have also produced the copies of the Aadhaar Card which are made part of the record. This Court also enquired both the parties and was satisfied that the

parties have come to an amicable settlement between themselves.

5. 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in 403 of 2016 .

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in in Crime No.403 of 2016 pending investigation on the file of the first respondent police, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred only) as costs, to the credit of the "Rojavanam, Home for aged and poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High court, Madurai 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 (AS)

// True Copy //

Sub Assistant Registrar(CS-III)

Encl: Joint Compromise Memo dated 18.09.2018

To

1.The Inspector of Police, Thirumangalam Town Police Station,
Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO MR.S.MUNIYANDAI, ADVOCATE IN SR NO.88395

AAV

BU/RSK/SAR-III :27.10.2018 : 2P/5C