



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.17663 of 2018

1.G.Parthasarathy @ Partheeban
2.M.Subburaj
3.Udhya @ Udhya Kumar : Petitioners

Vs.

1. The Deputy Superintendent of Police
Cheranmahadevi Taluk,
Tirunelveli District.

2. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
(Crime No.41 of 2013)

3. Shivanpandi : Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to S.C.No.134 of 2016, on the file of the learned II Additional District and Sessions Judge (Special Court for SC/ST Act Cases), Tirunelveli and quash the same based on the compromise arrived between the petitioners and de-facto complainant.

For Petitioners	: Mr.V.Angusamy
For R-1 and R-2	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl.Side)
For R-3	: Mr.M.Balakrishnan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.134 of 2016, on the file of the learned II Additional District and Sessions Judge (Special Court for SC/ST Act Cases), Tirunelveli.

<https://hcservices.ecourts.gov.in/hcservices/>

2. The case is under trial. 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 third respondent and also by their respective counsel. In order to identify the respective parties 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.

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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.C.No.134 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.134 of 2016, on the file of the learned II Additional District and Sessions Judge (Special Court for SC/ST Act Cases), Tirunelveli, is quashed insofar as the petitioner herein is concerned 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.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 (Crl.side)

/True Copy/

Sub Assistant Registrar(CS-III)

**Encl.: Xerox copy of Compromise Memo
To**

1. The II Additional District and Sessions Judge
(Special Court for SC/ST Act Cases), Tirunelveli.

2. The Deputy Superintendent of Police
Chernanadevi Taluk,
Tirunelveli District.



3. The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.

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

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

Copy To:-

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO Mr.V.ANGUSAMY, ADVOCATE IN SR No. 88850

SJI
TE/PM/SAR-3 : 22/11/2018 : 3P/9C

Cr1.O.P.[MD].No.17663 of 2018
04.10.2018
(2/2)