



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.17796 of 2018

WEB COPY

1.Mohammed Kasim
2.Shahul Hameed @ Shahul Hameed
3.Sikkanthar @ Sikkandar Bathusha
4.Jayalani @ Abdul Kadar : Petitioners/Accused Nos.2 to 5

Vs.

1.The State Rep. by its
The Inspector of Police,
Puliyankudi Police Station,
Tirunelveli District. : 1st Respondent/Complainant
2.Kaja Kani : 2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records in relating to the impugned FIR in Crime No.125 of 2018 on the file of the respondent and to quash the same as arbitrary in respect of the petitioners concerned.

For Petitioners: Mr.N.Ramesh Arumugam

For Respondents: Mr.K.Suyambulinga Bharathi for R1

Government Advocate [Criminal Side]

Mr.M.S.Jeya Karthik for R2

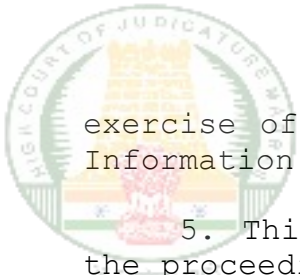
ORDER

The Criminal Original Petition has been filed to quash the F.I.R in Crime No.125 of 2018 on the file of the Inspector of Police, Puliyankudi Police Station, Tirunelveli District, pursuant to the compromise arrived at by the parties.

2. The case is still in the stage of 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 has 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 Mr.A.Subburayalu, Special Sub-Inspector 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.

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 First Information Report in Crime No.125 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.125 of 2018, on the file of the Inspector of Police, Puliyanakudi Police Station, Tirunelveli District, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- as costs, to the credit of the "Cancer Institute (WIA) Gandhi Nagar Canal Bank Road, Adyar, Chennai - 20" (payable in Account No.149710011000002, Savings Bank, Andhra Bank, Madhya Kailash Branch, Cancer Institute (WIA) Campus, Sardar Patel Road, Chennai - 36, Branch Name and Code: 1497, MICR No.600011049, IFSC Code: ANDB0001497), 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 (CS-I)

// True Copy //

Sub Assistant Registrar(CS-III)

Encl: Joint Compromise Memo

To

- 1.The Inspector of Police,
Puliyanakudi Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

- 1.The Secretary,
Cancer Institute (WIA) Gandhi Nagar Canal Bank Road,
Adyar, Chennai - 20.
- 2.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.(2 Copies)

+ 1 CC TO MR.M.S.JEYA KARTHIK , ADVOCATE IN SR NO.89059
TM
BU/PM/SAR-III :30.10.2018 : 2P/7C