



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2018

CORAM:

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**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

Crl.O.P.[MD].No.17865 of 2018

1.Banumathi  
2.A.Viknesh  
3.govinthan Alais Govintharaj  
4.Rasu Alais Raj .. Petitioners/Accused Nos.2 to 4&8

**vs.**

1. The Deputy Superintendent of Police,  
Puliyengudi,  
Tirunelveli District. ... 1<sup>st</sup> Respondent

2. The State represented by  
The Inspector of Police,  
Kadayanallur Police Station,  
Tirunelveli District. ... 2<sup>nd</sup> Respondent/Complainant

3. Chinnamariyeppan ... 3<sup>rd</sup> Respondent/Defacto  
Complainant

**PRAYER :** Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to Crime No.159 of 2018 on the file of the Kadayanallur Police Station, and quash the same.

For Petitioners : Mr.N.Syed Ali  
For R1 & R2 : Mr.K.Suyambulinga Bharathi  
Government Advocate (Crl.Side)  
For R3 : Mr.Boopathi Pandiyan

**ORDER**

The Criminal Original Petition has been filed to quash the proceedings in Crime No.159 of 2018 on the file of the Kadayanallur Police Station, for the alleged offence under Sections 147, 148, 294(b), 323, 324 and 506(ii) IPC and Section 3 (1)(r), 3(1)(s) and 3 (2) (va) of the SC and ST (Prevention of Atrocities) Amendment Act, 2015.



2.The case is still at 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 has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.V.Mariappan, SSI 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.159 of 2018.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.159 of 2018, on the file of the respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.500/- (Rupees Five Hundred 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-IV)

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

**To**

1. The Deputy Superintendent of Police,  
Puliyengudi,  
Tirunelveli District.

2. The Inspector of Police,  
Raddyandilur Police Station,  
Tirunelveli District.



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

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4. The Additional Public Prosecutor,  
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.N.SYED ALI, ADVOCATE IN SR No. 89364

MM

TE/SV/SAR-4 : 30/11/2018 : 3P/8C

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08.10.2018