



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.17900 of 2018

WEB COPY

1.Regan
2.Kumar
3.Vinu @ Rajan
4.Kumar

: Petitioners

Vs.

1.The State represented by
The Inspector of Police,
Kuzhithurai Police Station,
Kanyakumari District.
(Crime No.517 of 2006)

2.K.Ganesan : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to S.T.C.No.238 of 2008 on the file of the learned Judicial Magistrate Court No.1, Kuzhithurai, Kanyakumari and quash the same.

For Petitioners : Mr.C.Muthusaravanan

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

For R-2 : Mr.M.Ramesh

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.T.C.No.238 of 2008, on the file of the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari, for an alleged offences under Sections 341 and 323 of IPC.

2. The case is still in the stage of 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 has been filed before this Court which have 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.A.Kamaraj, 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 proceedings in S.T.C.No.238 of 2008.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.T.C.No.238 of 2008, on the file of the learned Judicial Magistrate No.I, Kuzhithurai, 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/- 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(W)

/True copy/

Sub Assistant Registrar(CS-II)

Encl:Xerox Copy of Joint Compromise Memo.

To

- 1.The Judicial Magistrate No.I, Kuzhithurai.
- 2.The Inspector of Police,
Kuzhithurai Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO

- 1.The Officer in Charge,
Rojavanam,
Home for aged and poor,
Ulaganeri,
Melur Main road, Madurai.
 - 2.The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.
- +1cc to Mr.C.Muthusaravanan, Advocate, SR.No.90686

CrI.O.P.[MD].No.17900 of 2018
12.10.2018

rmi

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

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