



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**  
**Cr1.O.P. [MD].No.17991 of 2018**

WEB COPY

- 1.Chelladurai
- 2.Senthikumar
- 3.Ganesan
- 4.Duraipandi
- 5.Murugaiah
- 6.Arunachalam
- 7.Mariappan
- 8.Kanthan
- 9.Kannan
- 10.Selvam
- 11.Arumugasamy
- 12.Natchathirapandian
- 13.Chandran
- 14.Kottursamy
- 15.Jeyam
- 16.Jeganathan
- 17.Mariduari
- 18.Karuthapandi

: Petitioners/Accused No.1 to 3,  
5 to 10 and 12 to 20

Vs.

- 1.State through by  
The Inspector of Police,  
Puliyankudi Police Station,  
In Crime No.305 of 2013,  
Tirunelveli District.

: Respondent/Complainant

- 2.Mariappan
- 3.M.Sankar
- 4.M.Poomari
- 5.Rakkammal

: Respondents/Victim 2 to 5

**PRAYER:** Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the charge sheet in P.R.C.No.27 of 2016 on the file of the Judicial Magistrate, Sivagiri and quash the same.

For Petitioners : Mr.C.Susi Kumar  
For R1 : Mr.K.Suyambulinga Bharathi  
Government Advocate (Cr1.Side)  
For R2 : Mr.B.Baskar

**ORDER**

This criminal original petition has been filed to quash the charge sheet in P.R.C.No.27 of 2016 on the file of the learned Judicial Magistrate, Sivagiri.

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 has been filed before this Court, which has been signed by the petitioners and the second respondent and also by their respective counsel. In order to identify the respective parties they have also produced the copies of the Aadhaar Card 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 proceedings in P.R.C.No.27 of 2016 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in P.R.C.No.27 of 2016.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.27 of 2016, on the file of the learned Judicial Magistrate, Sivagiri is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.9,000/- (Rupees Nine Thousand only) 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 (T & P)

// True Copy //

Sub Assistant Registrar(CS-I)



ENCL: Joint Compromise Memo.

To

1. The Judicial Magistrate, Sivagiri.

2. The Cancer Institute (WIA)  
Gandhi Nagar Canal Bank Road,  
Adyar, Chennai- 20

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

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

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

+1 CC To MR.B.BASKAR, Advocate SR. NO. 89515

**Cr1.O.P. [MD] .No.17991 of 2018**

TA

TR/RSK/SAR-I (11.10.2018) 3P 8C