



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.18245 of 2018

1.Kannusamy
2.Eshwari

: Petitioners

Vs.

State represented by

1.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
(Crime No.367 of 2018)

2.Ganesan

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the proceedings in Crime No.367 of 2018 on the file of the first respondent police and quash the same.

For Petitioners : Mr.S.Valmekanathan

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

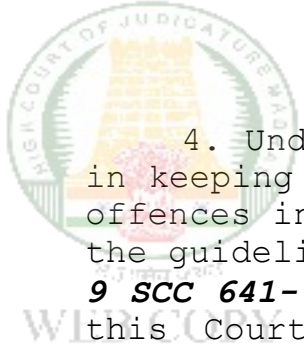
For R-2 : Mr.R.Bala Muruganantham

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.367 of 2018, on the file of the first respondent, for an alleged offences under Sections 294(b), 353 and 506(ii) of IPC.

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 petitioners and the second respondent were also present in person before this Court 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 Crime No.367 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.367 of 2018, on the file of the first respondent, 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 "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Authority, Chennai), 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 (ADI)

// True Copy //

Sub Assistant Registrar(CS-I)

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

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

COPY TO :

The Member Secretary,
Tamil Nadu State Legal Service Authority,
Chennai.
(Environment Fund)

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

CrI.O.P.[MD].No.18245 of 2018

12.10.2018