



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.18356 of 2018

WEB COPY

1.Ganeshan
2.Selvaraj
3.Saravanan
4.Vijayaragavan@Vijayamadhavan
5.Vicky@Vigneshwaran@Vignesh
6.Thangapandi ...Petitioners/Accused Nos.2,4 to 8

Vs.

1. The Deputy Superintendent of Police
Aruppukottai Sub Division, Aruppukottai
Virudhunagar
2. State through the Inspector of Police
Mallankinar Police Station
Virudhunagar District ...Respondent Nos.1 & 2/Complainant
3.Jothi Basu ...Respondent No.3 /Defacto Complainant
4.Kaleeswaran
5.Ramachandran
6.Ganeshkumar ...Respondent Nos.4 to 6/Victims
/L.W. 4 to 6

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records relating to the proceedings in PRC.No.1 of 2018 on the file of the Judicial Magistrate No.I, Virudhunagar and quash the same as far as the petitioners/accused No.2,4 to 8.

For Petitioners	: Mr.G.Mariappan
For R1 & R2	: Mr.M.Chandra Sekaran Additional Public Prosecutor
For R3 to R6	: Mr.G.Ramalingam

O R D E R

The present Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.1 of 2018 on the file of the Judicial Magistrate No.I, Virudhunagar.

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

2. The case is still at the stage of committal. 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 respondents 3 to 6 and also by their respective counsel. In order to identify the respective parties 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 P.R.C.No.1 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.1 of 2018, on the file of the learned Judicial Magistrate No.I, Virudhunagar, 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.1000/- (Rupees one thousand only) as costs, to the credit of 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(Records)

/True Copy/

Sub Assistant Registrar(CS-II)

Encl: Xerox copy of Joint Compromise
memo dated 10.10.2018.

To

1. The Judicial Magistrate No.I
Virudhunagar

2. The Deputy Superintendent of Police
Aruppukottai Sub Division, Aruppukottai



3. The Inspector of Police
Mallankinar Police Station
Virudhunagar 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)

Copy to
Rojavanam,
Home for aged and poor,
Melur main road,
Ulaganeri, Madurai.

+1 CC to Mr.G.Mariappan, Counsel for Petitioner, SR.No.90128

+1 CC to M/s.K.Seenu Ramachandran, Counsel for R3 to R6, SR.No.90131

msa
SS/SV/SAR 2/03.12.2018/3P/10C

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11.10.2018