

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.16780 of 2017
and CrI.M.P.Nos.10311 & 10312 of 2017

1. R.Sakthivel

2. K.Kesavan

3. K.Ashok

4. N.Kurinchi

5. S.Malathy

6. R.Rukmani

7. K.Janaki

8. K.Saravanan

.... Petitioners

Vs.

P.S.Dharmaraj

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the Criminal Case in STC No.674 of 2017 pending on the file of the learned Judicial Magistrate No.1, Tiruppur, quash the same.

For Petitioners: Mr.N.Manokaran
For Respondent : Mr.K.Mayilsamy

ORDER

This Criminal Original Petition has been filed to call for the records relating to the Criminal Case in STC No.674 of 2017 pending on the file of the learned Judicial Magistrate No.1, Tiruppur, quash the same.

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 respondent and also by their respective counsel. All the parties are present and identified by their respective counsel and the Police. 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 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 STC No.674 of 2017 pending on the file of the learned Judicial Magistrate No.1, Tiruppur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in STC No.674 of 2017, on the file of the learned Judicial Magistrate No.1, Tiruppur, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. Each of the petitioners shall pay a sum of Rs.5000/-, as costs, to the Annaiyar Old Age Home, SPK Nagar Adhiyur Pirivu, Kalipalayam, Permanallur, Tirupur -641 666, Permanallur to Erode Bypass Road, Phone:9152710292, 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. Consequently, connected miscellaneous petitions are closed.

*Enclosed Xerox copy of the Joint Memo of Compromise.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

1.The Judicial Magistrate No.1, Tiruppur

2.The Public Prosecutor
High Court, Madras.

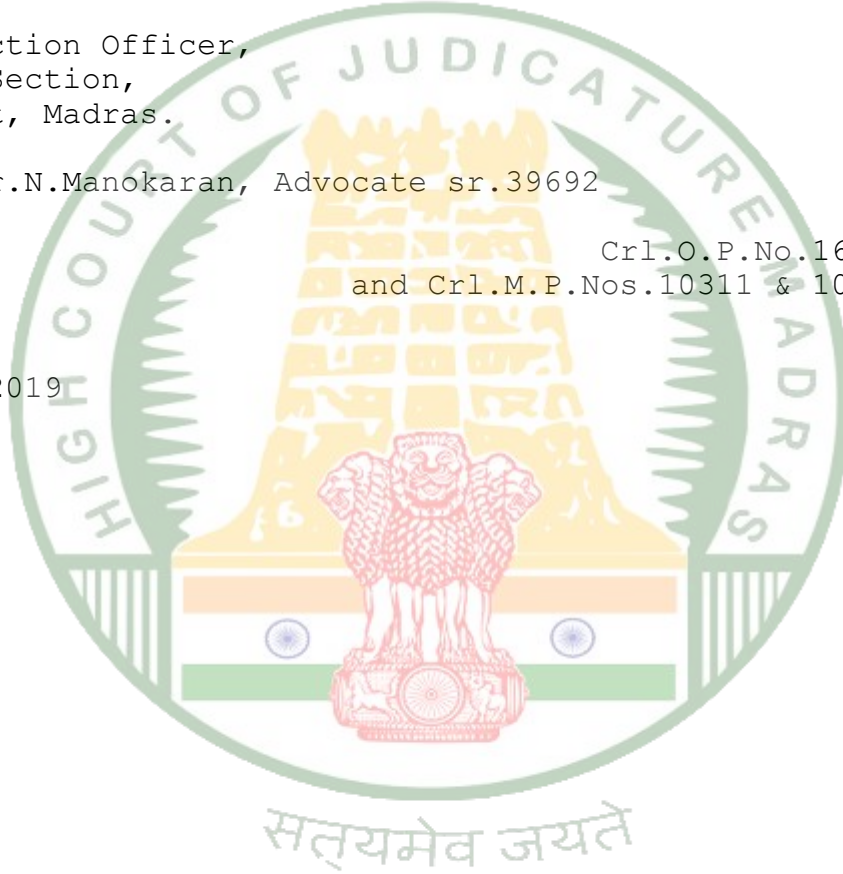
3.Annaiyar Old Age Home,
SPK Nagar, Adhiyur Pirivu,
Kalipalayam, Permanallur,
Tirupur -641 666,
Permanallur to Erode Bypass Road .

4. The Section Officer,
Criminal Section,
High Court, Madras.

+lcc to Mr.N.Manokaran, Advocate sr.39692

Crl.O.P.No.16780 of 2017
and Crl.M.P.Nos.10311 & 10312 of 2017

ssd(co)
nr 24/07/2019



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