



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **N.SESHASAYEE**

Crl.O.P.[MD]No.3351 of 2019

WEB COPY

1.S.Vicky @ Vignespandi
2.B.Kali @ Kaleeswaran
3.Paramakudi Vicky @ Vigneshkumar
4.Kiruba @ Kirubamuthukrishnan
5.M.Karthick : Petitioners/Accused 1 to 5
Vs.

1.State represented by
The Inspector of Police,
Tallakulam Police Station,
Madurai City. : 1st Respondent/Complainant
(in Cr.No.152 of 2019)

2.Gopinath : 2nd Respondents/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in connection with FIR in Cr.No.152 of 2019 on the file of the 1st respondent and quash the same in respect of petitioners.

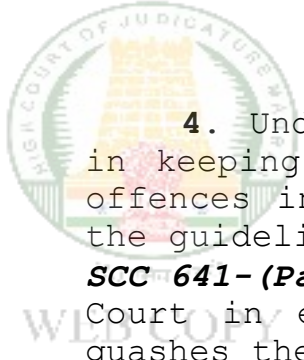
For Petitioners : Mr.D.Senthil
For R-1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)
For R-2 : Mr.V.Selva

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Cr.No.152 of 2019 on the file of the first respondent police insofar as petitioners are concerned.

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 were identified by Mr.R.Neethi Balan, Special Sub-Inspector of Police. 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 Gujath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Cr.No.152 of 2019.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Cr.No.152 of 2019, on the file of the first respondent police, is quashed insofar as petitioners are concerned and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1,000/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry, Madurai Bench), 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 (CS-III)

/ True Copy /

Sub Assistant Registrar

Encl:Xerox copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
Tallakulam Police Station,
Madurai City.
- 2.The Government Advocate (Crl.Side),
Madurai Bench of Madras High Court, Madurai.

Copy To:

The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.D.SENTHIL, Advocate (SR-51781[F] dated 05/03/2019)

+1 CC to M/s.V.SELVA, Advocate (SR-51782[F] dated 05/03/2019)

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CMR

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