



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.03.2019**

CORAM:

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

Crl.O.P. [MD]No.3807 of 2019

1.R.Duraikarthick

2.S.Raja

3.S.Senthil

4.R.Subash

5.S.Loganarayanan

6.M.Pattumari @ Karthick

7.S.Gurunathan

: Petitioners / Accused Nos.1 to 4 & 6 to 8

Vs.

1.The Deputy Superintendent of Police,

Palamedu Police Station,

Vadipatti Sub-Division, Madurai District.

2.The State of Tamil Nadu,

represented by the Inspector of Police,

Balamedu Police Station,

Madurai District.

: Respondents

3.P.Sundarraaj

: Respondent / De facto complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the First Information Report in Crime No.210 of 2018, dated 07.11.2018, pending on the file of the second respondent and quash the same.

For Petitioner : Mr.V.Sukumar

For R-1 & R-2 : Mr.V.Neelakanden

Government Advocate [Crl.Side]

For R-3

: Mr.Mark Jackson

ORDER

The Criminal Original Petition has been filed to quash the F.I.R. in Crime No.210 of 2018, dated 07.11.2018, pending on the file of the second respondent Police for the alleged offences under Sections 147, 294(b), 323 I.P.C., and Sections 3 (1) (r), 3 (1) (s) and 3 (2) (va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. The offences are primarily private in nature.

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 third respondent and also by their respective counsel. The petitioners and the third respondent were also present in person before this Court and they were identified by Mr.M.Ganesan, S.S.I, Palamedu Police Station, Madurai District. 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 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 **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath** [(2017) 9 SCC 641] and **The State of Madhya Pradesh Vs. Laxmi Narayan & Others** [CDJ 2019 SC 264] , this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the F.I.R. in Crime No.210 of 2018, dated 07.11.2018, pending on the file of the second respondent Police.

5. This Criminal Original Petition stands allowed and as a sequel, the F.I.R. in Crime No.210 of 2018, dated 07.11.2018 pending on the file of the second respondent Police, 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.500/- as costs, to the credit of "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, IFSC Code.SBIN 0000898, M.I.C.R. Code.625002601, State Bank of India, Periyakulam), 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 (Co)

// True Copy //

Sub Assistant Registrar(CS)

(Enclosure:Xerox Copy of Joint Compromise Memo)
To

- 1.The Deputy Superintendent of Police,
Palamedu Police Station,
Vadipatti Sub-Division, Madurai District.
- 2.The Inspector of Police,
Balamedu Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy TO:

- 1.The District Siddha Medical Officer,
CCRI, Periyakulam
Theni District

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

- 2.The Section Officer,
Criminal Section,



Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.V.Sukumar, Advocate, SR.No.54357

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SP/30.04.2019/ 3P/7C

14.03.2019