



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

CrI.O.P.[MD]No.5992 of 2019

WEB COPY

- 1.Selvam
- 2.Idhayakani @ Alagu Munichamy
- 3.Gopi @ Hari Rama Krishnan
- 4.Mareeswaran @ Alagu Mareeswaran
- 5.Ravi Gopal
- 6.Alagu Raja
- 7.Karuppasamy
- 8.Kathiravan
- 9.Alagar Raja
- 10.Raja Gopal
- 11.Karthi @ City Babu
- 12.Arun Kumar

: Petitioners

Vs.

- 1.State represented by
Inspector of Police,
M.Pudhupatti Police Station,
Virudhunagar District.
In Crime No.182 of 2016

- 2.Seeni Nayakar

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to record the compromise reached between the petitioners/accused and second respondent/defacto complainant and call for the records in the case in S.C.No.160 of 2018 on the file of the Principal District and Sessions Court, Virudhunagar District at Srivilliputhur and quash the same as illegal.

For Petitioners : Mr.M.Jothibasu
For R-1 : Mr.V.Neelakandan,
Additional Public Prosecutor.

For R-2 : Mr.Sugumaran

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.160 of 2018 on the file of the Principal District and Sessions Court, Virudhunagar District at Srivilliputhur, for the alleged offence under Sections 148, 294(b) IPC and Section 3(1) of Prevention of Damage To Public Property Act, 1984.



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.P.Senthil Kumar, Sub-Inspector of Police, M.Pudhupatti Police Station, Virudhunagar 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 in S.C.No.160 of 2018 pending, even though, the offence involved is not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in ***the State of Madhya Pradesh Vs. Laxmi Narayan & Others*** [CDJ 2019 SC 264] and ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*** [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.C.No.160 of 2018 on the file of the Principal District and Sessions Court, Virudhunagar District at Srivilliputhur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.160 of 2018 on the file of the Principal District and Sessions Court, Virudhunagar District at Srivilliputhur 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 the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, 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

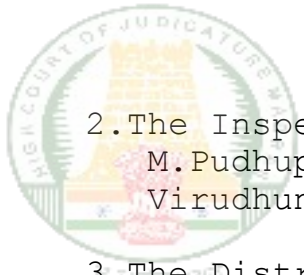
/ True Copy /

Sub Assistant Registrar(CS)

Encl:Xerox copy of Joint Compromise Memo
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To

1. The Principal District and Sessions Court,
<https://hcservices.ecourts.gov.in/hcservices/>
Virudhunagar District at Srivilliputhur.



2.The Inspector of Police,
M.Pudhupatti Police Station,
Virudhunagar District.

3.The District Siddha Medical Officer,
CCRI, Periyakulam.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-62774[F] dated 26/04/2019)

Cr1.O.P. [MD]No.5992 of 2019

ES/20.05.2019/3P/6C