



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2019

CORAM:

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.6437 of 2019

1.Thamaraikannan
2.Kulanthaisamy
3.Sridar
4.Naveen Kumar
5.Raja Amuthan

: Petitioners / Accused Nos.1 to 5

-Vs-

1. The State Represented by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District. : 1st Respondent / Complainant

2.Veerapandi : 2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the impugned Final Report in P.R.C.No.19 of 2017 on the file of the learned Judicial Magistrate No.I, Sivagangai and quash the same on the basis of Joint Compromise memo dated 13.12.2018.

For Petitioners	: Mr.V.Sasikumar
For R-1	: Mr.V.Neelakandan, Additional Public Prosecutor.
For R-2	: Mr.R.Pon Karthikeyan

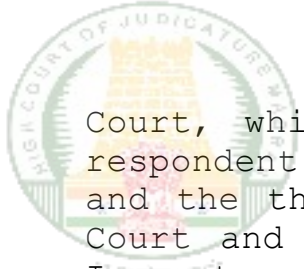
ORDER

The Criminal Original Petition has been filed to quash the impugned Final Report in P.R.C.No.19 of 2017 on the file of the learned Judicial Magistrate No.I, Sivagangai for the alleged offences under Sections 147, 148, 294(b), 324 and 307 IPC. The offence is chiefly private in nature.

2. The case is still in the stage of trial. The major offence is Section 307 IPC, but the injury is simple in nature. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

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

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.Thangarajan, Special Sub-Inspector of Police, Sivagangai Town Police Station, Sivagangai District, Contact No.83000 02020. 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 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 impugned Final Report in P.R.C.No.19 of 2017 on the file of the learned Judicial Magistrate No.I, Sivagangai.

5. This Criminal Original Petition stands allowed and as a sequel, the impugned Final Report in P.R.C.No.19 of 2017 on the file of the learned Judicial Magistrate No.I, Sivagangai, is quashed 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/-, each 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 (Records)

// True Copy //

Sub Assistant Registrar(CS)

To

Encl: Xerox copy of Joint Compromise Memo dated 24.07.2019

1. The Judicial Magistrate No.I,
Sivagangai.

2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.



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

Copy to:

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The District Siddha Medical Officer,
CCRI, Periyakulam.

+1 CC to Mr.A.MOHAN, Advocate (SR-64751[F] dated 02/05/2019)

Cr1.O.P. [MD]No.6437 of 2019
30.04.2019

Myr

AE/ (30.07.2019) 3P 6C