



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P. [MD]No.6471 of 2019

WEB COPY

- 1.Nithish @ Nithishkumar
- 2.Gobi @ Gobinath
- 3.Natrayan
- 4.Valliyammal @ Valliyathal
- 5.Sivasubramani
- 6.Rameshwari
- 7.Sathiyamoorthy
- 8.Moorthy @ Moorthy Kumar
- 9.Sababathy
- 10.Muthusamy
- 11.Suriya
- 12.Kumar @ Kumarasamy
- 13.Thagabharathy @ Selvabharathi
- 14.Boopathi : Petitioners / Accused Nos.1 to 14

Vs.

- 1.The Deputy Superintendent of Police,
Palani Division,
Dindigul District.
- 2.State Represented by
The Inspector of Police,
Ayakudi Police Station,
Dindigul District.
In Crime No.252 of 2017 : Respondents 1 and 2 / Complainant
- 3.Prasanna Kumar : 3rd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to FIR in Crime No.252 of 2017 on the file of the first respondent police and quash the same.

For Petitioners : Mr.R.Jegadeeswaran

For R-1 and R-2 : Mr.V.Neelakandan,
Additional Public Prosecutor.

For R-3 : Mr.K.G.Arun Kumar

**ORDER**

The Criminal Original Petition has been filed to quash the FIR in Crime No.252 of 2017 on the file of the first respondent police, for the alleged offences under Sections 147, 148, 294(b), 323, 324, 341, 506(ii) IPC r/w 3(1)(s)(r), 3(2)(V)(A) SC / ST POA Act, 2015. The offence is chiefly 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.B.Yazhisaiselvan, Sub-Inspector of Police, Ayakudi Police Station, Dindigul District, Contact No.94981 24049. 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 Gujrat*** [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the FIR in Crime No.252 of 2017 on the file of the first respondent police.

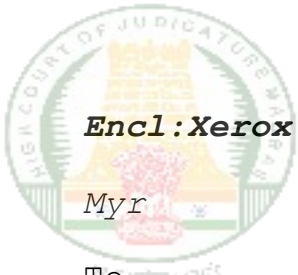
5. This Criminal Original Petition stands allowed and as a sequel, the FIR in Crime No.252 of 2017 on the file of the first respondent police is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1,000/-, each as costs, to 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 (AE)

/ True Copy /

Sub Assistant Registrar(CS)



Encl:Xerox copy of Joint Compromise Memo

Myr

To கனம் உரிமை

WEB COPY

- 1.The Deputy Superintendent of Police,
Palani Division,
Dindigul District.
- 2.The Inspector of Police,
Ayakudi Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:

The District Siddha Medical Officer,
CCRI, Periyakulam

+1 CC to M/s.R.JEGADEESWARAN, Advocate
(SR-64255[F] dated 30/04/2019)

CrI.O.P. [MD]No.6471 of 2019

ES/20.05.2019/6P/6C