



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2019

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.(MD).No.1003 of 2018

and

CRL.M.P(MD)No.426 of 2018

WEB COPY

1.S.Thanveer

2.M.Manikandan

... Petitioners

Vs.

1.The Inspector of Police,
C3, S.S.Colony Police Station,
Madurai.
(Crime No.1193 of 2017)

2.Jayanthi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the First Information Report in Crime No.1193 of 2017, dated 23.11.2017, on the file of the respondent No.1 for offences under Section 75 (II) of Juvenile Justice (Care and Protection of Children) Act, 2015 and quash the same as illegal.

For Petitioners : Mr.T.Lajapathy Roy
For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

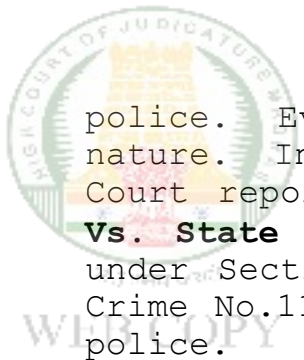
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.1193 of 2017, on the file of the first respondent police, for an alleged offences under Section 75 (II) of Juvenile Justice (Care and Protection of Children) Act, 2015.

2.The case is under trial. 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.Mahentran, SI 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 before the respondent



police. 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.1193 of 2017, pending on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.1193 of 2017, on the file of the first respondent police, is quashed and the terms of joint compromise memo, which shall form part and parcel of this order. The each of the petitioners shall pay a sum of Rs.5000/- (Rupees Five Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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
To

1. The Inspector of Police,
C3, S.S.Colony Police Station,
Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to: The Section Officer,
Accounts Secion,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.L.SHAJI CHELLAN, Advocate (SR-87730[F] dated 19/09/2019)
+1 CC to Mr.T.LAJAPATHI ROY, Advocate (SR-87850[F] dated 19/09/2019)

CRL.O.P. (MD) .No.1003 of 2018
and
CRL.M.P (MD) No.426 of 2018
18.09.2019

das
MK (04.10.2019) 2P 6C

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