



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.12796 of 2019

and

Crl.M.P (MD) No.7917 of 2019

1. Nagappan
2. Kannan @ Krishnan
3. Ramadhas
4. Raheem
5. Thangaswamy

... Petitioners/Accused 1 to 5

Vs.

1. The Inspector of Police
Puthukadai Police Station
Kanyakumari District
(Crime No.487 of 2016)

... 1st Respondent/Complainant

2. Sunder Raj

... 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the case in C.C.No.32 of 2017 on the file of Judicial Magistrate - II, Kuzhithurai, Kanyakumari District and quash the same as against these petitioners

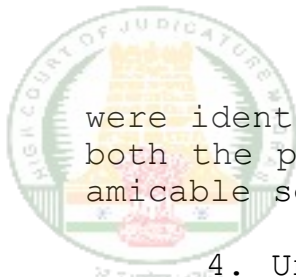
For Petitioners	: Mr.T.Jeen Joseph
For R-1	: Mr.K.Suyambulinga Bharathi
	Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.32 of 2017 on the file of Judicial Magistrate - II, Kuzhithurai, Kanyakumari District for an alleged offences under Sections 147,148,294(b),324,323,506(ii) of IPC and Section 4 of TNPHW Act.

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.Rasel, SSI 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, 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 proceedings in C.C.No.32 of 2017

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in in C.C.No.32 of 2017 on the file of Judicial Magistrate - II, Kuzhithurai, Kanyakumari District , is quashed and the terms of joint compromise memo shall form part and parcel of this order. 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. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

Encl.:Xerox Copy of Joint Compromise Memo

To

1. The Judicial Magistrate - II,
Kuzhithurai, Kanyakumari District
2. The Inspector of Police
Puthukadai Police Station
Kanyakumari District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to: The Section Officer,
Accounts Section,
Madurai Bench of Madras High court, Madurai



WEB COPY

Crl.O.P(MD).No.12796 of 2019

+1 CC to Mr.T.JEEN JOSEPH, Advocate (SR-86624[F] dated 13/09/2019)

Crl.O.P. (MD) .No.12796 of 2019

and

Crl.M.P (MD) No.7917 of 2019

13.09.2019

aav

MK (27.09.2019) 3P 6C