



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.11.2019**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD) .No.15095 of 2019

1.Chellamuthu
2.Veerasingam
3.Palchamy @ Balachamy
4.Pandi
5.Ravi
6.Senthurapandi
7.Mookaiyan
8.Mookaiyan
9.Emanraj
10.Saravana Kumar
11.Kattapommu
12.Gopal @ Gopala Krishnan
13.Muniyaraj
14.Chandrasekaran

... Petitioners / Accused Nos.1 to 14

Vs.

1.State rep. by
The Sub-Inspector of Police,
M.Reddiapatti Police Station,
Virudhunagar District.
(In Crime No.91 of 2018)

... 1st Respondent/Complainant

2.Erraiyan

...2nd Respondent /Defacto-Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to record the compromise reached between the petitioners/accused and the 2nd respondent/de-facto complainant and call for the records in the case in Crime No.91 of 2018 on the file of the first respondent and quash the same as illegal.

For Petitioners : Mr.M.Jothi Basu

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



O R D E R

The Criminal Original Petition has been filed to quash the proceedings in Crime No.91 of 2018 on the file of the first respondent as against the petitioners.

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2. The case is still at 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.R.Uthayasooryan, Special Sub-Inspector 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.91 of 2018 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.91 of 2018, on the file of the first respondent police, is quashed and the terms of joint compromise memo shall form part and parcel of this order. The petitioners shall jointly 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 (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Enclose: Xerox Copy of Joint Compromise Memo.



To

- 1.The Sub-Inspector of Police,
M.Reddiapatti Police Station,
Virudhunagar District.
- 2.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.

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.(2)

+1 CC to M/s.G.M.LAW OFFICE, Advocate SR-9613.

Crl.O.P. (MD) .No.15095 of 2019
05.11.2019

Ls

CS(14.11.2019) 3P 7C