



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.14528 of 2019

1. Maniraj
2. Sarathkumar
3. Prasanna

... Petitioners

Vs.

1. The State represented by
the Inspector of Police,
Sholavandan,
Madurai District.
(In Crime No.86 of 2019)
- 2.Vinothkumar

... 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.86 of 2019, under Sections 294(b), 323, 324 and 506 (ii) of the Indian Penal code and Sections 3 (1) (r), 3 (1) (s), 3 (2) (va) of the SC / ST (Prevention of Atrocities) Amendment Act, 2015, which was registered on 16.03.2019, on the file of the first respondent / the Inspector of Police, Sholavandhan, Madurai District and quash the entire proceedings against the petitioners.

For Petitioners : Mr.K.Muthu Ganesa Pandian

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

For R-2 : Mr.R.Mohamed Riyaz

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.86 of 2019, on the file of the first respondent Police for the alleged offences under Sections 294(b), 323, 324 and 506 (ii) of the Indian Penal code and Sections 3 (1) (r), 3 (1) (s), 3 (2) (va) of the SC / ST (Prevention of Atrocities) Amendment Act, 2015,

2.The case is still at the stage of investigation. By passage of time, the parties have decided to bury their hatchet and complete 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.C.Pandi, 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 is pending before the first 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.86 of 2019 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.86 of 2019, 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 (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

tsg

Encl:

Xerox copy of the Joint Compromise Memo.

To

1. The Inspector of Police,
Sholavandan,
Madurai 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.

+1 CC to M/s.K.MUTHU GANESA PANDIAN, Advocate (SR-92907[F] dated
18/10/2019)

Crl.O.P. (MD) .No.14528 of 2019
15.10.2019

JMN(25.10.2019) 3P : 5C