



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2019

CORAM:

WEB COPY

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

Crl.O.P.(MD) No.16292 of 2019
and
Crl.MP(MD No.9928 & 9929 of 2019

Saravanan ... Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
Vikramangalam Police Station,
Madurai District.
(Crime No.8 of 2016)

... 1st Respondent/Complainant

2.P.Kaluva

... 2nd Respondent/Defacto
complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in connection with the case in Crime No.8 of 2016 on the file of the first respondent and quash the same.

For Petitioner : Mr.J.Selvam
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

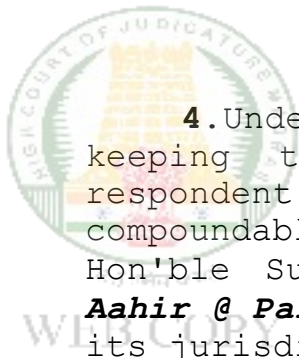
For R2 : Mr.Ilalyarasu

ORDER

This petition has been filed to quash the case in Crime No.8 of 2016 on the file of the first respondent.

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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.Pandian, 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 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 case in Crime No.8 of 2016 pending on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Proceedings in Crime No.8 of 2016 pending 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 petitioner 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 further, the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the second respondent by way of Demand Draft drawn in favour of his name and file a photocopy of the receipt & produce the copy of the Demand Draft along with a memo reporting compliance before the Registry / first respondent on or before 22.11.2019, failing which, this order automatically stands cancelled without further reference to this Court and the first respondent shall proceed with the case in Crime No.8 of 2016. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

dss

Encl: Xerox copy of the Joint Compromise memo

To

- 1.The Inspector of Police,
Vikramangalam Police Station,
Madurai District.
Kanyakumari District.
- 2.The Additional Public Prosecutor.
Madurai Bench of Madras High Court,
Madurai.



Copy to:

1.The Section officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

2.The Section officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.J.SELVAM, Advocate (SR-19770[I] dated 15/11/2019)

Crl.O.P. (MD) No.16292 of 2019
and
Crl.MP (MD) No.9928 & 9929 of 2019
15.11.2019

JMN(15.11.2019) 3P : 6C