



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :01.11.2019

CORAM:

WEB COPY

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No. 13314 of 2017
and
Crl.M.P.(MD) .No.8997 of 2017

Kasimayan : Petitioner/Accused No.1

Vs.

1. The State represented by
The Sub Inspector of Police,
Theni Police Station,
Theni District.
(Crime No.833 of 2017) : Respondent/Complainant

2.Sri Ram Siddarth : Respondent/Defacto Complainant

PRAYER: Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records for the First Information Report in Crime No.833 of 2017, dated 06.09.2017, on the file of the first respondent Police and quash the same as illegal and devoid of merits as against this petitioner.

For Petitioner : Mr.A.Uthayakumar

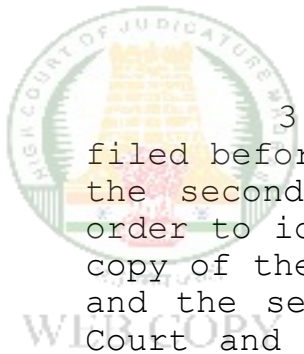
For R-1 : Mr.K.Dinesh Babu
Additional Public Prosecutor

For R-2 : Mr.R.Ganthi

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.833 of 2017, for the alleged offences under Sections 147, 341, 294 (b), 506 (i) and 379 of the Indian Penal Code, on the file of the first respondent Police.

2. The case is still in 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, dated 31.10.2019, has been filed before this Court, which has been signed by the petitioner and the second respondent and also by their respective counsel. In order to identify the respective parties, they have also produce the copy of the Aadhaar Card is made part of the record. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.N.Muthusamy, SI of Police, Theni Police Station, Theni District. 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 Gujarat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C, quashes the First Information Report in Crime No.833 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.833 of 2017, on the file of the Sub Inspector of Police, Theni Police Station, Theni District, is hereby quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2,500/- (Rupees Two Thousand Five Hundred only) as costs, to the credit of Madras High Court Madurai Bench Advocate Clerk's Association, vide Account No. 496039124, Indian Bank, 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, the connected miscellaneous petition is closed.

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,
Theni Police Station,
Theni District.



2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to: 1.The Madras High Court Madurai Bench
Advocates Clerks Association,
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.A.UTHAYA KUMAR, Advocate SR-95999.

Crl.O.P. (MD)No. 13314 of 2017
01.11.2019

CS(19.11.2019) 3P 7C