



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.14646 of 2017
and

Crl.M.P. (MD) Nos.9767 & 9768 of 2017

- 1) K.Abdul Vadhooth
- 2) A.Aub Khan
- 3) A.Akbar Ali
- 4) A.Mubarak Ali
- 5) A.Mohamed Aabith Sultan
- 6) N.Noor Mohamed
- 7) M.Mohamed Kaalith
- 8) M.Fathakulla
- 9) M.Appees Dheen
- 10) M.Sadhurdheen
- 11) K.Ajkar Ali
- 12) K.Settu @ Jamal Mohamed
- 13) M.Amirdheen Mohammed
- 14) M.Mohamed Farook
- 15) S.Mohamed Masthan
- 16) S.Syed Abuthahir
17. A.Jakubar Sadiq
18. P.Shajahan

19. Abdul Malik

<https://hcservices.ecourts.gov.in/hcservices/>



20) B.Shahul Hameed

21) M.Siddik Ali

22) M.Humayum Kabeer

23) M.Mubarak Ali

24) A.Kadhar

25) A.Ayub Khan

26) A.Abdul Latheef

27) A.Ameer Suthan

28) A.Kareem Kani

29) B.Mansoor Ali

30) M.Sabi Mohammed

31) M.Raja Mohammed

32) M.Rabeek Raja

33) K.Sifayathullah

34) K.Ekshanullah

35) C.Ajkar Ali

... Petitioners/ Accused
Nos.1 to 15, 17 to 36

Vs.

1. The Inspector of Police,
Inamkulathur Police Station,
Trichy District.(Crime No.93 of 2011) ... Respondent/
Complainant

2. A.M.Jaffer Ali ...Respondent/ De facto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the charge sheet in P.R.C.No.8 of 2017 on the file of the learned Judicial Magistrate Court No.V, Trichy in Crime No.93 of 2011 under Sections 147, 148, 341, 294(b), 506(ii), 115 ad 307 of IPC on the file of the respondent no.1 and quash the same as illegal as against these petitioners.

<https://hcservices.ecourts.gov.in/hcservices/Pages/ForPetitioners> : Mr.T.Lajapathi Roy



For R 1 : Mr.S.Chandrasekar,
Additional Public Prosecutor

For R 2 : Mr.M,Arjun Varman

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O R D E R

This Criminal Original Petition has been filed seeking to quash P.R.C.No.8 of 2017, pending on the file of the learned Judicial Magistrate Court No.V, Trichy in Crime No.93 of 2011.

2. The case is still in the stage of 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, dated 24.06.2019 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 2nd respondent were also present in person before this Court and they were identified by the Investigating Officer. In order to identify the respective parties, they have also produced the copy of the Aadhaar Card and the same is made part of the record. 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 case 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in P.R.C.No.8 of 2017, pending on the file of the learned Judicial Magistrate Court No.V, Trichy in Crime No.93 of 2011.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.8 of 2017,pending on the file of the learned Judicial Magistrate Court No.V, Trichy in Crime No.93 of 2011 is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)



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Encl:Xerox Copy of Joint Compromise Memo.

To

- 1) The Judicial
Magistrate Court No.V,
Trichy.
- 2) The Inspector of Police,
Inamkulathur Police Station,
Trichy District.
- 3) The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-95080[F] dated
31/10/2019)

Crl.O.P. (MD) No.14646 of 2017

Dated:

25.10.2019

KK/SAR/14.11.2019/4P-5C/