



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

WEB COPY

Crl.O.P. (MD) .No.693 of 2020

S.V.S.P. Manickaraja

..Petitioner/sole accused

Vs.

1.The State rep. by
Deputy Superintendent of Police,
Kovilpatti Circle, Thoothukudi District.

2. The State rep. by
Inspector of Police,
Kayathar Police Station, Thoothukudi District.
(Crime No. 2 of 2020). ..R-1 & 2/Complainant

3. S. Ponnulakshmi ..R-3/Defacto complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records of the proceedings in Crime No.2 of 2020 on the file of the 2nd respondent police and quash the same in view of the compromise made between the parties.

For Petitioners: Mr.K. Anbarasan

For R1 & R-2 : Mr.S.Chandrasekar
Additional Public Prosecutor

For R3 : Mr.Viswanathan

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in Crime No.2 of 2020 on the file of the 2nd respondent police for the offences under Sections 153(A) of IPC and Section 4 of TNPHW Act and Section 3(1)(s) of SC/ST (POA) Act, 2015, in view of the compromise made between the parties.

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 third respondent and also by their respective counsel. The petitioner and the third respondent were also present in person before this Court and they were identified by Mr. Ravi Sankar, Sub-Inspector of



Police, Kayathar Police Station. 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No. 2 of 2020.

5. It is represented by the learned counsel for the petitioner that the petitioner has paid a sum of Rs.5000/- (Rupees Five thousand only) as costs to the Credit of the 'M.S. Chellamuthu Trust and Research Foundation' and filed the original cash receipt along with this memo on 13.01.2020. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 2 of 2020, 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.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

(Encl. Xerox copy of Joint compromise memo)

1. The Deputy Superintendent of Police,
Kovilpatti Circle, Thoothukudi District.
2. The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-1739[F] dated 13/01/2020)

Crl.O.P. (MD).No.693 of 2020
13.01.2020

ksa

<https://hcmcs.courts.mys.in/Doc2/0es/2P-5C>