



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.17028 of 2019

1.Shanmugam @ Shanmuganathan

2.Kubendhiran

..Petitioners/Accused No.1 & 2

Vs.

State Rep. by

1.The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
Crime No.648 of 2016.

... 1st Respondent/Complainant

2.Prakatheeshwaran ... 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the impugned FIR in Crime No.648 of 2016, on the file of the first respondent police and quash the same.

For Petitioner : Mr.R.Murugan

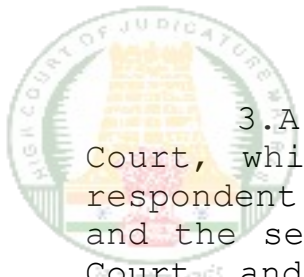
For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor

For R2 : Mr.I.Karuppiah

O R D E R

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.648 of 2016, on the file of the first respondent police, for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC.

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 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.Boominathan, HC-1817, Ramanathapuram Bazaar 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.648 of 2016.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.5000/- (Rupees Five Thousand only) as costs to the Credit of the Anbagam, (Institution for the Mentally Handicapped Children), Race Course Road, Madurai 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.648 of 2016, 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(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1.The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.



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

+1 CC to M/s.R.MURUGAN, Advocate (SR-1838[F] dated 13/01/2020)

Cr1.O.P. (MD) .No.17028 of 2019
13.01.2020

MA (CO)
TR (30.01.2020) 3P 4C