



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

Cr1.O.P. (MD) .No.22423 of 2016

Saminathan

.. Petitioner

Vs.

1. The State Rep. by
The Sub Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
(Crime No. 31 of 2013)

2. Muthupandi

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records relating to C.C. No. 182 of 2015 pending on the file of the Learned District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli district and quash the same.

For Petitioner : Mr. S. Sundarapandian
For R1 : Mr. K. Anbarasan
Government Advocate (Cr1 side)

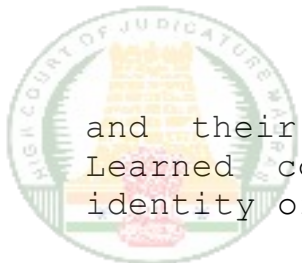
For R2 : Mr. A. Sekar

ORDER

This petition has been filed seeking to quash the proceedings in C.C.No.182 of 2015 on the file of the learned District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli District pursuant to the amicable settlement effected between the parties.

2. It is seen that a case in C.C.No. 182 of 2015 for the alleged offences under Sections 294(b), 506(ii) of IPC and Section 4 of TNPHW Act has been registered against the petitioner/sole accused. After completion of investigation, charge sheet has been filed and the same has been taken on file in C.C.No. 182 of 2015 on the file of the Learned District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli District.

3. When the matter is taken up for hearing, the petitioner/accused and the second respondent, appeared in person



and their identifications were also verified by this Court. Learned counsel appearing for the parties also endorsed the identity of their respective parties.

4. The learned counsel appearing on either side filed a joint memo of compromise dated 24.11.2016, duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the second respondent has agreed to quash the proceedings in C.C.No. 182 of 2015 on the file of the Learned District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli District.

5. Considering the nature of allegations and in view of joint memo of compromise dated 24.11.2016, this Court is of the opinion that no useful purpose would be served in keeping the proceeding pending. Therefore, the entire proceedings in C.C.No. 182 of 2015 on the file of the Learned District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli District in respect of the petitioner/sole accused, are hereby quashed. The petitioner has paid the amount of Rs.20,000/- to the Bharadhan Muthukumarasamy Panchayat School and cost memo has been filed to that effect.

6. Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint compromise memo dated 24.11.2016 shall form part of this order.

Sd/-

Assistant Registrar(C.S-I)

JOINT COMPROMISE MEMO ENCLOSED

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif Cum,
Judicial Magistrate,
Cheranmahadevi,
Tirunelveli District.

2. The Sub Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.

3. The Addl. Public Prosecutor,
Madras High Court,
Madurai.



4. The Officer-in-Charge,
Bharathan Muthukumarasamy Panchayat Primary School,
T.Kallupatti, Madurai District.

+1cc to Mr.S.Sundarapandian, Advocate, SR No.74070

CM

td/3p/6c 9.1.2017

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