



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) No.9658 of 2011
and M.P. (MD) No.2 of 2011

1.Chidamani
2.Pakiyaraj
3.Rajagopal
4.Santha

... Petitioners/Accused

-vs-

1.The State rep. By the
Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli
(In Crime No.759 of 2010)

...1st Respondent/Complainant

2.M.Parvathi @ Bombay Parvathi

..2nd Respondent/Defacto
Complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the records relating to the charge sheet in C.C.No.107 of 2011 on the file of the Judicial Magistrate Court No.IV,Tirunelveli and quash the same.

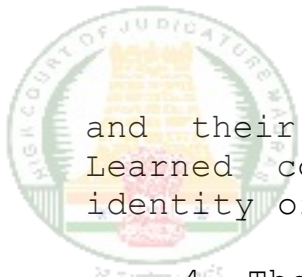
For Petitioners : Mr.Sulthan Basha
For R1 : Mr.K.Anbarasan
Government Advocate (Crl.side)
For R2 : Mr.K.Sivabalan

O R D E R

This petition has been filed seeking to quash the charge sheet in C.C.No.107 of 2011 on the file of the Judicial Magistrate Court No.IV,Tirunelveli, pursuant to the amicable settlement effected between the parties.

2. It is seen that a case in Crime No.759 of 2010 for the alleged offences under Sections 341, 294(b), 506(ii) IPC has been registered against the petitioners. After completion of investigation, charge sheet has been filed and the same has been taken on file in C.C.No.107 of 2011 on the file of the learned Judicial Magistrate No.IV, Tiurnelveli.

3. When the matter is taken up for hearing, the petitioners/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 31.03.2016, duly stating that since the parties have respondent has agreed to quash the proceedings in C.C.No.107 of 2011 on the file of the learned Judicial Magistrate No.IV, Tiurnelveli.

5. Considering the nature of allegations and in view of joint memo of compromise dated 31.03.2016, this Court is of the opinion that no useful purpose would be served in keeping the proceedings pending. Therefore, the proceedings in C.C.No.107 of 2011 on the file of the learned Judicial Magistrate No.IV, Tiurnelveli., in respect of the petitioners is hereby quashed. As per the order dated 14.11.2016, the petitioner has paid Rs.10,000/- to Government Girls Higher Secondary School, Othakadai, Madurai and a 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 31.03.2016 shall form part of this order. Consequently, connected M.P.(MD)No. 2 of 2011 is closed.

Sd/-

Assistant Registrar(Writ)

/True Copy/

Sub Assistant Registrar

CM

To:

1. The Inspector of Police,
Tirunelveli Junction Police Station, Tirunelveli.
2. The Judicial Magistrate No.4, Tirunelveli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Head Master,
Government Girls Higher Secondary School,
Othakadai, Madurai

+1cc to M/s AJMAL ASSOCIATES Advocate Sr.No. 70997

JAM/14.12.16/DB/2P-6C