



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.18494 of 2018

WEB COPY

Josuva

: Petitioner

Vs.

State represented by

1.The Inspector of Police,
Meignanapuram Police Station,
Thoothukudi District.
(Crime No.216 of 2016)

2.Fathima Sutha

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in C.C.No.299 of 2016 on the file of the learned Judicial Magistrate, Sathankulam, Thoothukudi District and consequently, accept the compromise arrived at between both the accused and the defacto complainant to compound the case quash same.

For Petitioner : Mr.N.Mohideen Basha

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

For R-2 : Mr.K.Palmurugan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.299 of 2016, on the file of the learned Judicial Magistrate, Sathankulam, Thoothukudi District, for an alleged offences under Sections 294(b), 323 and 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act.

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 has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they have also produced the copies of the Aadhaar Card which



are 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 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 proceedings in C.C.No.299 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.299 of 2016, on the file of the learned Judicial Magistrate, Sathankulam, Thoothukudi District, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-III)

Encl: Joint Compromise Memo

To

- 1.The Judicial Magistrate, Sathankulam, Thoothukudi District.
- 2.The Inspector of Police,
Meignanapuram Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RMI

BU/SKN/SAR-III :09.11.2018 : 2P/4C

Cr1.O.P.[MD].No.18494 of 2018
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