



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.(MD).No.13783 of 2014

and

Crl.M.P.(MD).Nos.1 and 2 of 2014

Boopathy

...Petitioner

Vs.

1.State represented by

The Inspector of Police,
Thilagar Thidal Police Station,
Madurai.
(In Crime No.1194 of 2012)

...Respondent / complainant

2.Syed Munaaf

...Respondent / *De facto*
complainant

(Cause Title amended as per the order of this Court
dated 25.08.2014 and made in M.P.(MD).No.3 of 2014
in Crl.O.P.(MD).No.13783 of 2014)

PRAYER: Criminal Original Petition filed under Section 482 of the
Criminal Procedure Code, to call for the records pertaining the
calendar case No.736 of 2012 pending on the file of the learned
Judicial Magistrate No.II, Madurai and quash the same.

For Petitioners :Mr.C.M.Arumugam

For R1 :Mr.K.Suyambulingabharathi
Government Advocate (Crl.Side).

For R2 : Mr.Jainul Abudheen
for M/s.K.Manoharan

O R D E R

This Criminal Original Petition has been filed to quash
Calendar Case No.736 of 2012, pending on the file of the learned
Judicial Magistrate No.II, Madurai, for an alleged offences under
Sections 294(b), 323 and 506(i) I.P.C. on the file of the learned
Judicial Magistrate No.2, Madurai.

2. 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 has 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 were identified by Mr.P.Pandi, SSI of Police. 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 proceedings in C.C.No.736 of 2012 is 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 Calender Case No.736 of 2012, pending on the file of the learned Judicial Magistrate No.II, Madurai

5. This Criminal Original Petition stands allowed accordingly. Consequently, the connected miscellaneous petitions are closed.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-I)

Encl:Xerox Copy of Joint Compromise Memo and Affidavit.

To

1.The Judicial Magistrate No.II, Madurai.

2.The Inspector of Police,
Thilagar Thidal Police Station,
Madurai.

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

+1cc to Mr.C.M.Arumugam, Advocate, SR.No.77784

Cr1.O.P. (MD) .No.13783 of 2014
07.08.2018

tsg
KK/SKN/SAR-1/03.09.2018/2P-5C