



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P. (MD) .No.1495 of 2018

1.P.K.Manimaran

2.P.Kaluvan

3.Chandraleela

4.Ilangovan @ P.K.Ilango

5.Rani @ P.K.Umarani

...Petitioners / Accused Nos.1 to 5/
Accused Nos.1 to 5

Vs.

1. The Inspector of Police,
Usilampatti Police Station,
Madurai District.

(Crime No.403 of 2016)

...1st Respondent / 1st Respondent/
Complainant

2. Karthikeyan

...2nd Respondent / 2nd Respondent/
De-facto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records pertaining to the Charge Sheet in S.C.No.597 of 2017 on the file of the Additional District and Sessions Judge, Mahila Court, Madurai in Crime No.403 of 2016 on the file of the 1st Respondent Police and quash the same.

For Petitioners

:Mr.J.Lawrance

For R1

:Mr.K.Suyambulinga Bharathi
Government Advocate

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.597 of 2017, on the file of the Additional District and Sessions Judge, Mahila Court, Madurai, for an alleged offence under Sections 306 IPC. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

2. 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 A.Balasubramanian, Inspector of Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

3. Under such circumstances, no useful purpose will be served in keeping the proceeding in S.C.No.597 of 2017 pending. Even though, the offence 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 S.C.No.597 of 2017, on the file of the learned Additional District and Sessions Judge, Mahila Court, Madurai.

4. It is brought to the notice of this Court that earlier orders have been passed by this Court, wherein quash on account of compromise for an offence under Section 306 has been entertained. In view of the facts of the present case, no useful purpose will be served by making the parties to undergo the trial. That apart, this Court has also taken into consideration the allegations made in the final report.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C. No.597 of 2017, on the file of the learned Additional District and Sessions Judge, Mahila Court, Madurai, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred only) as costs, to the credit of the Environment Fund (payable in Member Secretary, Tamil Nadu State Legal Services Authority, Chennai, Indian Bank, Madras High Court Branch, High Court Building) within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-I)

Encl: Xerox Copy of Joint Compromise Memo

To

1. The Additional District and Sessions Judge,
Mahila Court, Madurai.

2. The Inspector of Police,
Usilampatti Police Station,

Madurai District.



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

+1cc to Mr.J.Lawrance, Advocate Sr.No.78948

+1cc to Mr.B.Arun, Advocate Sr.No.78951

TA

VB/SKN/SAR1/23.08.2018/3P/6C

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