



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

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Crl.O.P.[MD].No.4064 of 2018

Velmurugan

: Petitioner

Vs.

1.Pathasarathy

2.The Deputy Superintendent of Police,
Thiruchuli Sub-Division,
Virudhunagar District.

3.The Inspector of Police,
M.Reddiapatti Police Station,
M.Reddiapatti,
Virudhunagar District.

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records, proceedings, in Spl.S.C.No.17 of 2017 in C.C.No.28 of 2016 on the file of the Sessions Court, Srivilliputtur, Virudhunagar District and quash the same against the petitioner.

For Petitioner : Mr.A.Vadivel

For R1 : Mr.Ayyanar

For R2 & R3 : Mr.A.Robinson

Government Advocate (Crl.Side)

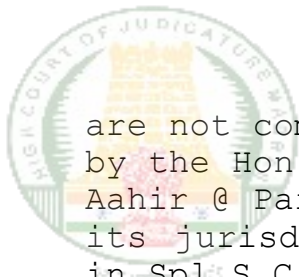
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.17 of 2017 in C.C.No.28 of 2016 on the file of the Sessions Court, Srivilliputtur, Virudhunagar District.

2.The case is still at 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 has been signed by the petitioners and the respondent and also by their respective counsel. In order to identify the respective parties they have also produced copies of their Aadhaar Cards, 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 proceedings 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 Spl.S.C.No.17 of 2017 in C.C.No.28 of 2016.

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5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.17 of 2017 in C.C.No.28 of 2016, on the file of the learned Sessions Judge, Srivilliputtur, Virudhunagar District, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- as costs, to the credit of Legal Services Authority, Madurai Bench of Madras High Court, Madurai, within a period of two weeks 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(Crl.Side)

/True Copy/

Sub Assistant Registrar(cs-II)

Enclosure:Joint Compromise Memo Xerox Copy
To

- 1.The Sessions Judge,
Srivilliputtur,
Virudhunagar District.
 - 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
 - 3.The Authority,
Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.
 - 4.The Deputy Superintendent of Police,
Thiruchuli Sub-Division,
Virudhunagar District.
- +3cc to Mr.S.Ayyanar Advocate in SR.No.95016
Copy To:
The Section Officer,
Criminal Section
Madurai Bench of Madras High Court,
Madurai.

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13.11.2018