



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K. ILANTHIRAIYAN

CrI.O.P.[MD].No.7965 of 2015

and

M.P. (MD) .No.1 of 2015

and

CrI.M.P.[MD].No.5028 of 2018

1.A.Sridhar
2.Sounthiraraj
3.C.Shanmugaraj
4.C.Muthukrishnan
5.P.Sankaran

:Petitioners/Accused Nos.1 to 5

Vs.

1.The State of Tamil Nadu
Represented by its Inspector of Police
Erwadi Police Station
Tirunelveli District

:1st Respondent/Complainant

2.C.Ashok Kumar

:2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in connection with C.C.No.147 of 2014 on the file of the Court of the Judicial Magistrate, Nanguneri, Tirunelveli District and quash the same.

For Petitioners : Mr.T.Cibichactraborty

For R-1 : Mr.V.Neelakandan, APP

For R-2 : Mr.H.Thayumanasamy

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.147 of 2014 on the file of the Judicial Magistrate, Nanguneri, Tirunelveli District for an alleged offences under Sections 143, 384 and 471 r/w 120(b) I.P.C.

2. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.The learned counsel appearing for the petitioners would submit that during the pendency of the present criminal original petition, the second petitioner died on 15.12.2017. The



submission made by the counsel for the petitioners is recorded.

4.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners 1, 3, 4 & 5 and the second respondent and also by their respective counsel. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in keeping the criminal proceedings pending. 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 criminal proceedings in C.C.No.147 of 2014.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.147 of 2014, on the file of the learned Judicial Magistrate, Nanguneri, Tirunelveli District is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS-III)

Encl: Joint Compromise Memo

To

1.The Judicial Magistrate, Nanguneri, Tirunelveli District

2.The Inspector of Police, Erwadi Police Station,
Tirunelveli District.

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

+ 1 CC TO MR.T.CIBICHACTRABORTHY, ADVOCATE IN SR NO.86941

MSA

BU/PM/SAR-III:31.10.2018 : 2P/5C

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