



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.6218 of 2018

Rajesh

: Petitioner

Vs.

1. The State represented by
The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
Crime No.404 of 2011

2. Sathiskumar

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in C.C.No.09 of 2014 on the file of the Judicial Magistrate, Eraniel, Kanyakumari District in Crime No.404 of 2011 dated 05.09.2011 on the file of the first respondent police for alleged offence under Sections 341, 294(b), 323, 324 and 379(NP) IPC, to quash the same.

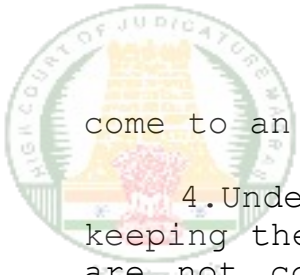
For Petitioner	: Mr.D.Balamurugapandi
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl.Side)
For R2	: Mr.M.Vigneshkumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.09 of 2014 on the file of the Judicial Magistrate, Eraniel, Kanyakumari District, for the alleged offence under Sections 341, 294(b), 323, 324 and 379(NP) IPC.

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 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.A.Amalaraj, 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 charge sheet 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the charge sheet in C.C.No.09 of 2014.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.09 of 2014 on the file of the learned Judicial Magistrate, Eraniel, Kanyakumari 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.1,000/- (Rupees one thousand only) as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, IFSC Code.SBIN 0000898, M.I.C.R. Code.625002601, State Bank of India, Periyakulam), 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-II)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Judicial Magistrate,
Eraniel,
Kanyakumari District.
2. The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
3. The District Siddha Medical Officer,
CCRI, Periyakulam.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.D.BALAMURUGAPANDI, ADVOCATE IN SR No. 89256

MM

TE/SV/SAR-2 : 09/11/2018 : P/C

<https://hcservices.ecourts.gov.in/hcservices/>

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