



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.08.2018
CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WEB COPY

Crl.O.P.(MD).No.7067 of 2017
and
Crl.M.P(MD)Nos.4790 & 4791 of 2017

1.Ramasamy
2.Janagaraj
3.Rajendran
4.Seenivasan

...Petitioners/Accused Nos.1 to 4

Vs.

1.The State
Represented by the Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
(In Crime No.63 of 2016)

...Respondent / Complainant

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

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in respect of the case in C.C.No.112 of 2017 on the file of the Judicial Magistrate Court, Rajapalayam, Virudhunagar District and to quash the same and as illegal, violation of law.

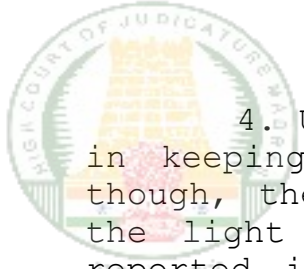
For Petitioner	:Mr.G.Marimuthu
For R1	:Mr.M.Chandrasekaran
	Additional Public Prosecutor
For R2	:Mr.P.Athimoolapandian

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.112 of 2017, on the file of the Judicial Magistrate Court, Rajapalayam, Virudhunagar District, for an alleged offences under Sections 406, 420 r/w 34 of IPC.

2. 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.

3. 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 Mr.R.Sundaramahalingam, Special Sub-Inspector. 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 proceeding in C.C.No.112 of 2017 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 C.C. No.112 of 2017, on the file of the Judicial Magistrate Court, Rajapalayam, Virudhunagar District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No.112 of 2017, on the file of the Judicial Magistrate Court, Rajapalayam, Virudhunagar District, 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.1,500/- (Rupees One Thousand and Five Hundred only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To

- 1.The Judicial Magistrate, Rajapalayam.
- 2.The Chief Judicial Magistrate,
Srivilliputtur at Virudhunagar.
- 3.The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.G.M.LAW OFFICE, Advocate SR.No. 78477

Cr1.O.P.(MD).No.7067 of 2017
and

Cr1.M.P(MD)Nos.4790 & 4791 of 2017
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rmk