



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WEB COPY

Crl.O.P.(MD).Nos.7279 and 7885 of 2017

and

Crl.M.P.(MD)No.4955, 4956, 5374 and 5375 of 2017

Ajithakumari ...Petitioner in Crl.O.P.(MD)No.7279 of 2017/
1st Accused

1.Sujitha

2.Manon Mani

...Petitioners in Crl.O.P.(MD)No.7885 of
2017/Accused No.2 and 3

Vs.

1.The Inspector of Police,
Thuckalay Police Station,
Thuckalay,
Kanyakumari District.

.. Respondent/Complainant

2.S.Sasitharan

..Respondents in both
petitions/Defacto Complainant

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of the Cr.P.C., to call for the entire records pertaining to the case in P.R.C.No.16 of 2017 on the file of the learned Judicial Magistrate Court, Padmanapapuram, Kanyakumari District and quash the same against the above petitioner.

For Petitioner :Mr.S.R.Anbarasu

For R1 :Mr.K.Suyambulinga Bharathi
Government Advocate

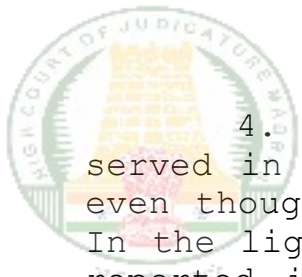
For R2 : Mr.J.John Jeyakumar
(for both petitions)

COMMON ORDER

These Criminal Original Petitions have been filed to quash the P.R.C.No.16 of 2017 on the file of the learned Judicial Magistrate Court, Padmanapapuram, Kanyakumari District.

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. In order to identify the respective parties they have also produced the copy of the Aadhaar Card and the same is made part of the record. This Court has enquired both the parties and 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 P.R.C.No.16 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. Quashes P.R.C.No16 of 2017, on the file of the learned Judicial Magistrate Court, Padmanapuram, Kanyakumari District.

5. 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.

6. These Criminal Original Petitions stand allowed and as a sequel, the proceedings in P.R.C.No.16 of 2017, on the file of the learned Judicial Magistrate Court, Padmanapuram, Kanyakumari District, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty 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. Consequently, connected Miscellaneous Petitions are closed.

Sd/

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar (CS-III)

Encl:Xerox Copy of Joint Compromise Memo.

To

1.The Judicial Magistrate, Padmanapuram.

2.The Inspector of Police,
Thuckalay Police Station,
Thuckalay, Kanyakumari District.

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

Copy to:

The Member Secretary/Officer In Charge,
Tamil Nadu State Legal Services Authority, Chennai.

+1cc to Mr.S.R.Anbarasu, Advocate, SR.No.79303

CrI.O.P.(MD).Nos.7279 and 7885 of 2017

16.08.2018