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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P. [MD].No.11329 of 2018

1.Titus

2.Raja @ Pandiarajan

: Petitioners/Accused No.1 & 2

Vs.

1.The State Rep. by

The Inspector of Police (L & O)

Karimedu Police Station,

Madurai City.

(Crime No.166 of 2016)

: Respondent/Complainant

2.Marimuthu

: Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the trial proceedings in S.C.No.178 of 2018 on the file of the learned Additional Chief Judicial Magistrate, Madurai.

For Petitioner

: Mr.M.Jagadeesh Pandian

For R-1

: M/s.SBharathi

Government Advocate [Criminal Side]

For R-2

: Mr.B.Viswanathan

ORDER

The Criminal Original Petition has been filed to quash the S.C.No.178 of 2018 on the file of the learned Additional Chief Judicial Magistrate, Madurai, pursuant to the compromise arrived at by the parties.

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 which is 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 S.C.No.178 of 2018 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 S.C.No.178 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.178 of 2018 on the file of the learned Additional Chief Judicial Magistrate, Madurai, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.5000/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee), 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(CO)

/True Copy/

Sub Assistant Registrar

TM

To

1.The Additional Chief Judicial Magistrate, Madurai.

2.The Inspector of Police (L & O)
Karimedu Police Station, Madurai City.

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

Copy To

The Member Secretary,
TamilNadu State Legal Services Committee,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.Jagadeesh Pandian, SR No.81594

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