



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.10.2018**

CORAM:

THE HONOURABLE MR. JUSTICE **N. ANAND VENKATESH**

Cr1.O.P. [MD] .No.19175 of 2018

WEB COPY

1.D.Jeyapandi

2.Satheesh Kumar @ Satheesh

: Petitioners/Accused No.1 & 2

Vs.

1. The State through the Inspector of Police,
Viruveedu Police Station,
Dindigul District.

[Crime No.85 of 2014] : 1st Respondent/Complainant

2. P.Tirupathi

: 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and to quash the charge sheet in C.C.No.369 of 2015 pending on the file of the Judicial Magistrate, Nilakottai in the nature and circumstances of the case and in the interest of justice, equity and good conscience and thereby render justice.

For Petitioners : Mr.R.Rajamohan

For R-1 : Mr.K.Suyambulinga Bharathi

Government Advocate[Cr1. side]

For R-2

: Mr.V.A.Dhana Aravindha Balaji

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.369 of 2015 pending on the file of the Judicial Magistrate, Nilakottai for an alleged offences under Sections 294(b), 323 and 384 of IPC.

2. The case is still in 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 have been signed by the petitioners and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by Mr.P.Alagu Pandi, Head Constable and they have also produced the copies of the Aadhaar Card which are 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 proceedings in CC No.369 of 2015 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 proceedings in CC. No.369 of 2015.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No. 369 of 2015, on the file of the Judicial Magistrate, Nilakottai, 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.1000/- [Rupees One Thousand only] as costs, to the credit of the Hon'ble Chief Justice's 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.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-II)

Encl: Xerox copy of Joint Compromise Memo

To

1. The Judicial Magistrate,
Nilakottai.
2. The Inspector of Police,
Viruveedu Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Rajamohan, Advocate Sr.No.92645

DSK

VB/SV/SAR2/23.11.2018/2P/6C

Cr1.O.P.[MD].No.19175 of 2018
29.10.2018