



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2018**

CORAM:

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

**Crl.O.P. [MD] .No.11491 of 2018**

WEB COPY

Arputharajan

: Petitioner/Accused No.3

Vs.

1. The State Rep.by

The Inspector of Police,

Nesamani Nagar Police Station,

Kanyakumari District.

:1<sup>st</sup> Respondent/Complainant

2.Azarudheen

:2<sup>nd</sup> Respondent/Defacto  
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to pass an order calling for records in C.C.No.181 of 2016 on the file of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District and quash the same.

For Petitioner : Mr.S.Ramakrishnan

For R-1 : Mr.K.Suyambulinga Bharathi  
Government Advocate [Crl. side]

For R-2 : Mr.D.Christenson Jugunu

### ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.181 of 2016 on the file of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District, for an alleged offences under Sections 147, 148, 341, 294(b), 324 & 307 (ii) 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 petitioner and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by Mr.Murugan, SSI of Police 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 C.C.No.181 of 2016 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 Guj Rath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.181 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.181 of 2016, on the file of the learned Judicial Magistrate No.II, Nagercoil, Kanyakumari District, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.500/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Authority, Chennai), 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(crl side)

/True Copy/

Sub Assistant Registrar(CS-I)

ENCL: Xerox copy of Joint Compromise Memo

To

1. The Judicial Magistrate No.II,  
Nagercoil,  
Kanyakumari District.
2. The Inspector of Police,  
Nesamani Nagar Police Station,  
Kanyakumari District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.
4. The Member Secretary,  
Tamil Nadu State Legal Services Authority,  
Madras High Court Campus,  
Chennai.

+1cc to Mr.S.Ramakrishnan, Advocate Sr.No.79591

+1cc to Mr.D.Christenson Jugunu, Advocate Sr.No.79590

GNS

VB/SKN/SAR1/04.10.2018/2P/7C

**Crl.O.P. [MD] .No.11491 of 2018**

**21.08.2018**