



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 31.10.2018
CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.19735 of 2018

WEB COPY

- 1.Mariyappan
- 2.Bagavathi
- 3.Muthumari @ Muthumariyappan
- 4.Muthukaruppan
- 5.Veerappan
- 6.Lakshmi
- 7.Selvi

... Petitioners / Accused Nos.1 to 7

Vs.

- 1.The State Represented by
The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
(Crime No.59/2010)

- 2.State Represented by
The Inspector of Police,
Oodaipatti Police Station,
Theni District.
(In Crime No.59 of 2010) ...Respondents 1 and 2 / Complainants

- 3.Chinnathai ... 3rd Respondent / Defacto Complainant

- 4.Muthumani ... 4th Respondent / Injured Victim

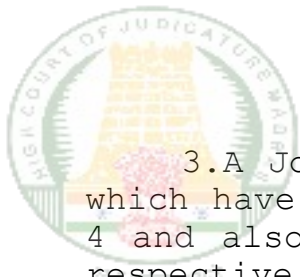
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the charge sheet in S.C.No.30 of 2011 pending on the file of the learned Mahila Court (Sessions Level), Theni, and quash the same.

For Petitioners : Mr.A.Ananda Raj
For R1 and R2 : Mr.K.Suyambulinga Bharathi
Government Advocate [Cr1. Side]
For R3 and R4 : Mr.R.Shankar Ganesh

ORDER

This Criminal Original Petition has been filed to quash the charge sheet in S.C.No.30 of 2011 pending on the file of the learned Mahila Court (Sessions Level), Theni.

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 respondents 3 and 4 and also by their respective counsel. In order to identify the respective parties, 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 case 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 charge sheet in S.C.No.30 of 2011 pending on the file of the learned Mahila Court (Sessions Level), Theni.

5.This Criminal Original Petition stands allowed and as a sequel, the charge sheet in S.C.No.30 of 2011 pending on the file of the learned Mahila Court (Sessions Level), Theni, 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.500/- as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), 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(CS-III)

/True Copy/

Sub Assistant Registrar(CS-II)

Encl: Xerox Copy of Joint Compromise Memo

To

1.The Mahila Court (Sessions Level),
Theni.

2.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

3.The Inspector of Police,
Oodaipatti Police Station,
Theni District.

4. The District Siddha Medical Officer,
CCRI, Periyakulam



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

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ES/SKN/RSK/SAR 2/20.11.2018/3P/6C