



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.12974 of 2018

Jamindhar

: Petitioner

Vs.

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

: 1st Respondent/Complainant

2.R.Vinothini

: 2nd Respondents/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the impugned proceedings in C.C.No.198 of 2016, on the file of the learned Judicial Magistrate, Uthamapalayam and call for Records.

For Petitioners : Mr.J.Senthil Kumaraiah

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Criminal Side]

For R-2 : Mr.N.Rajasekar

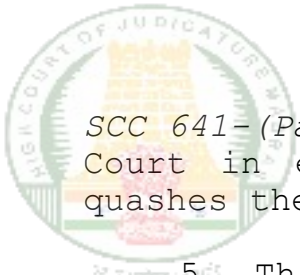
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.198 of 2016, on the file of the learned Judicial Magistrate, Uthamapalayam, for an alleged offences under Sections 294(b), 323, 354 and 498(A) of 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. In order to identify the respective parties they have also produce the copy of the Aadhaar Card 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 First Information Report 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 First Information Report in C.C.No.198 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.198 of 2016, on the file of the learned Judicial Magistrate, Uthamapalayam, 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.1,000/- as costs, to the credit of the Chief Justice 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 (RTI)

/True copy/

Sub Assistant Registrar (CS-I)

Encl:Xerox Copy of Joint Compromise Memo.

To

1.The Judicial Magistrate, Uthamapalayam.

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

3.The Section officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

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

+1cc to Mr.J.SENTHIL KUMARAIAH, Advocate, SR.No. 77985

Cr1.O.P.[MD].No.12974 of 2018
10.08.2018

SJI

KK/RSK/SAR-1/03.09.2018/2P-6C