



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WEB COPY

Cr1.O.P.(MD).No.13422 of 2018

Maharajan

...Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
Maanur Police Station,
Tirunelveli District.
(In Crime No.304 of 2013)

...Respondent / Complainant

2.Arumugham

...Respondent /De-facto
complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the case in S.C.No.387 of 2016 on the file of the learned Principal Session Judge, Tirunelveli and quash the same by allowing this Criminal Original Petition.

For Petitioner	: Mr.P.Samuel Gunasingh
For R1	: Mr.M.Chandrasekaran Additional Public Prosecutor
For R2	: Mr.R.Niresh Kumar

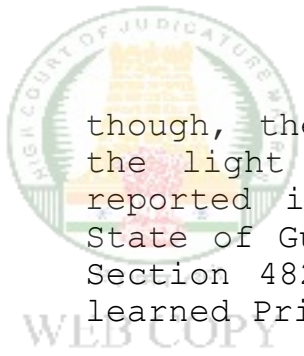
O R D E R

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.387 of 2016 on the file of the learned Principal Session Judge, Tirunelveli, for an alleged offences under Sections 294(b), 307 and 506(ii) 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. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.K.Puthiyavan, Special Sub-Inspector of Police. 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 proceeding in S.C.No.387 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes S.C.No.387 of 2016 on the file of the learned Principal Session Judge, Tirunelveli.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.387 of 2016 on the file of the learned Principal Session Judge, Tirunelveli, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) 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(Crl. side)

/True Copy/

Sub Assistant Registrar(CS-IV)

Enclosure: Xerox Copy of Joint Compromise Memo

To

- 1.The Principal Sessions Judge, Tirunelveli.
- 2.The Inspector of Police,
Maanur Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.P.Samuel Gunasingh, Advocate SR.No. 78552

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