



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.15144 of 2018

1.Esakkimuthu
2.Madathiammal
3.Thillai @ Thillai Natarajan
4.Kannan
5.Marimuthu

: Petitioners/Accused Nos.1 to 5

Vs.

1. State rep.by
The Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District.
(Crime No.21 of 2017)

: Respondent/Complainant

2.Esakkimuthu

: Respondent / *De facto*
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the charge sheet C.C.No.98 of 2018 in Crime No.21 of 2017, on the file of the learned Judicial Magistrate No.II, Kovilpatti and quash the same.

For Petitioners : Mr.M.Prabu

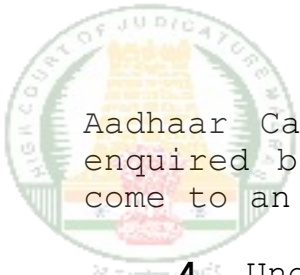
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Cr1. side]

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.98 of 2018, on the file of the learned Judicial Magistrate No.II, Kovilpatti for the offences punishable under Sections 147, 294(b), 323, 324, 355 and 506(ii) I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment Women Act, 2002.

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 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.A.Devaraj, SSI of Police, Karaikal 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 C.C.No.98 of 2018 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 C.C.No.98 of 2018, on the file of the learned Judicial Magistrate No.II, Kovilpatti.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.98 of 2018, on the file of the learned Judicial Magistrate No.II, Kovilpatti is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.300/- each, as cost, 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 (CO)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Judicial Magistrate No.II, Kovilpatti.
2. The Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District..
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy To:-

The District Siddha Medical Officer,
CCRI, Periyakulam.
(payable in Account No.10767823177, SBI, Periyakulam)

+ 1 CC TO Mr.M.PRABU, ADVOCATE IN SR No. 80815

TSG

TE/SKN/SAR-3 : 19/09/2018 : 2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>

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