



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P. [MD].No.14581 of 2018

1.S.Muthiah Mudaliar
2.M.Sivanu Kumar
3.Aadimoolam

:Petitioners/A1 to A3

Vs.

1.The State represented by
The Inspector of Police,
Taluk Police Station,
Tirunelveli District.

:1st Respondent/Complainant

2.Chelladurai

:2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the C.C.No.279 of 2016 on the file of learned Judicial Magistrate No.III, Tirunelveli.

For Petitioners : Mr.B.Chandran

For 1st Respondent: Mr.M.Chandrasekaran

Additional Public Prosecutor

Fro 2nd Respondent: Mr.T.Santhana Mariappan

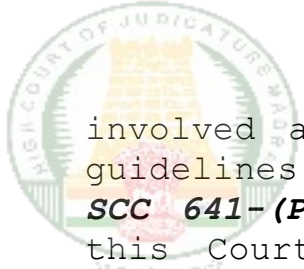
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.279 of 2016 on the file of the learned learned Judicial Magistrate No.III, Tirunelveli.

2. The case is under 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 have 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.S.Marutha Kutty, SSI 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 proceedings 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.279 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.279 of 2016, on the file of the learned Judicial Magistrate No.III, Tirunelveli, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty only) as costs, to the credit of the "Cancer Institute (WIA) Gandhi Nagar Canal Bank Road, Adyar, Chennai- 20" (payable in Account No.149710011000002, Savings Bank, Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA) Campus, Sardar Patel Road, Chennai- 36, Branch Name and Code: 1497, MICR No.600011049, IFSC Code: ANDB0001497), 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 (AD-I)

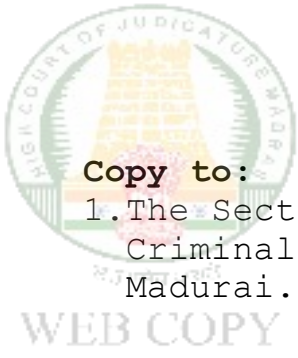
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Sub Assistant Registrar(CS-III)

Encl: Joint Compromise Memo dated 7.8.2018

To

- 1.The Judicial Magistrate No.3,
Tirunelveli.
- 2.The Officer-in-Charge,
The Cancer Institute (WIA)
Gandhi Nagar Canal Bank Road,
Adyar, Chennai- 20"
- 3.The Inspector of Police,
Taluk Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Copy to:**

1.The Section Officer,
Criminal Section, Madurai Bench of Madras High Court,
Madurai.(2 Copies)

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

3.The Registrar Judicial,
Madurai Bench of Madras High Court, Madurai.

DAS

BU/PM/SAR-III:09.11.2018 : 3P/9C

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01.10.2018