



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.[MD].No.20024 of 2018

1.Kavi @ Kaviyarasan
2.Pandidurai
3.Vivek
4.Nagavel
5.Tamilarasi
6.Mani @ Muthumanikandan
7.Ajithkumar

... Petitioners/Accused Nos.1 to 7

vs.

1. The Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram District,
(Crime No.363 of 2016).

...1st Respondent/Complainant

2. Muniswaran

... 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the P.R.C.No.25 of 2017 on the file of the Learned Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District and quash the same.

For Petitioners	: Mr.S.Sathya Chidambaram
For R1	: Mr.R.Anandharaj Additional Public Prosecutor
For R2	: Mr.N.Saravanan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.25 of 2017, on the file of the Judicial Magistrate No.I, Ramanathapuram, for the alleged offence under Sections 147, 294(b), 323 and 307 of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002.

2.By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.The learned counsel appearing for the petitioners and the second respondent would submit that it is only a simple injury.



4.A joint memo of compromise has been filed before this Court, which has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by the Inspector of Police, Ramanathapuram Town Police Station. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5.Under such circumstances, no useful purpose will be served in keeping the P.R.C.No.25 of 2017 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 P.R.C.No.25 of 2017.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.25 of 2017, on the file of the Judicial Magistrate No.I, Ramanathapuram, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.3,000/- (Rupees Three Thousand only) as costs, to the credit of the District Legal Services Authority, Madurai Bench of Madras High Court, Madurai, 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-I)

/True Copy/

Sub Assistant Registrar(CS-IV)

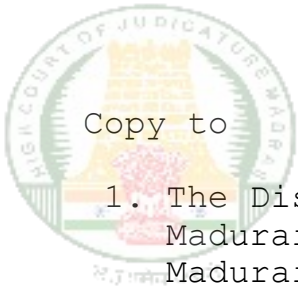
Encl : Xerox copy of Joint Compromise
Memo.

To

1. The Judicial Magistrate No.1,Ramanathapuram.

2. The Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram District,

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



Copy to

1. The District Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.

WEB COPY

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

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SS/BK/SAR 4/29.01.2019/3P/7C

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