



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.08.2018
CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.14821 of 2018

S.Seeniappa : Petitioner / Sole Accused

Vs.

1.State represented by
The Inspector of Police,
Thallakulam Police Station,
Madurai.In Crime No.53 of 2011 : Respondent / Complainant

2.S.Ushman : Respondent / De Facto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash C.C.No.489 of 2014, on the file of the learned Judicial Magistrate No.II, Madurai, First Information Report in Crime No.53 of 2011 on the file of the second respondent.

For Petitioner : Mr.M.Seenisulthan
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]

For R2 : Ms.A.Parveen Banu

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.489 of 2014, on the file of the learned Judicial Magistrate No.II, Madurai for the offences under Sections 294(b), 452, 323 and 506 (ii) I.P.C. r/w. Section 4 of TNWH Act.

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 produced the copy of the Aadhaar Card which is made part of the record . This Court also enquired
<https://hservices.ecourt.gov.in/hservices/> 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.489 of 2014, 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.489 of 2014.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.489 of 2014, on the file of the learned Judicial Magistrate No.II, Madurai, 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.2,000/- (Rupees Two Thousand only) as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee), 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-II)

Encl: Xerox copy of Joint Compromise Memo

To

- 1.The Judicial Magistrate No.II, Madurai,
- 2.The Inspector of Police,
Thallakulam Police Station, Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Member Secretray,
Tamil Nadu Legal Aid Services Committee,
Chennai.



Cr1.O.P.[MD].No.14821 of 2018
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ES/RP/SAR 2/11.09.2018/2P/5C

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