



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
Cr1.O.P.[MD].No.20477 of 2018

S.Selvaraj : Petitioner/Sole Accused

Vs.

1.The State represented by
Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
(Crime No.106 of 2015) : 1st Respondent/Complainant

2.Genga Devi : 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 proceedings in C.C.No.185 of 2015 on the file of the Learned Judicial Magistrate NO.I, Sivakasi, Virudhunagar District, pursuant to the compromise arrived at between the parties.

For Petitioner : Mr.S.Vinayak
For R-1 : Mr.R.Anandharaj
Additional Public Prosecutor
For R-2 : Mr.A.Thiruvadi Kumar

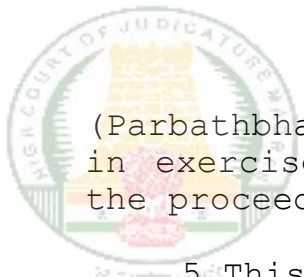
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.185 of 2015 on the file of the Learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District.

2.The case is still at the stage of 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 has been filed before this Court, which has 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 copies of their Aadhaar Cards, 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 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.185 of 2015.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.185 of 2015 on the file of the Learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District, 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.5,000/- as costs, to the credit of Legal Services Authority, Madurai Bench of Madras High Court, Madurai, within a period of two weeks 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-IV)

Encl: Xerox Copy of Joint Compromise Memo

To

1. The Judicial Magistrate No.I,
Sivakasi, Virudhunagar District.
2. The Chief Judicial Magistrate,
Srivilliputhur at Virudhunagar.
3. The Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Officer in Charge,
Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.

- 1 CC TO Mr.S.Vinayak , ADVOCATE IN SR No. 95655.

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