



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

CrI.O.P. [MD].No.20671 of 2018

WEB COPY

- 1.Senthilkumar
- 2.Poomani @ Pandarakannu
- 3.Thirumalaimurugan
- 4.Sureshviswanath @ Karuthapandi
- 5.Mahendran @ Kajendra Mariappan
- 6.Vignesh
- 7.Akilan

...Petitioners/ Accused

Vs .

- 1.The Inspector of Police
Uthumalai Police Station,
Tirunelveli District
Crime No.251/2015

...1st Respondent/Complainant

- 2.Saravanavel Murugaiah

...2nd Respondent/

Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to S.C.No.577 of 2017 pending on the file of the Learned District Mahila Court Tirunelveli Tirunelveli District and quash the same.

For Petitioners: Mr.A.Saravanan

For R-1 : Mr.R.Anandharaj

Additional Public Prosecutor

For R-2 : Mr.S.Sundarapandian

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.577 of 2017 pending on the file of the District Mahila Court, Tirunelveli, Tirunelveli 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.The learned counsel for the second respondent would submit that the victim girl/daughter of the defacto complainant is now married and settled and hence, she does not want to proceed with the case further and she has also filed an affidavit to that effect.



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. 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.

5.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 S.T.C.No.577 of 2017.

6.This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.577 of 2017 pending on the file of the District Mahila Court, Tirunelveli, Tirunelveli District, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.3,000/- 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-III)

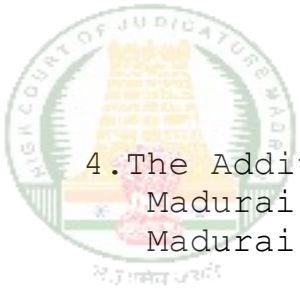
Encl: Joint Compromise Memo dated 19.11.2018

To

1.The Judge, District Mahila Court,
Tirunelveli,
Tirunelveli District.

2.The Inspector of Police
Uthumalai Police Station,
Tirunelveli District

3.The Officer-In-Charge,
Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.



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

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+ 1 CC TO MR.A.SARAVANAN, ADVOCATE IN SR NO.96363

LS

BU/SV/SAR-III:23.11.2018 : 3P/6C

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22.11.2018