



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.16859 of 2018

WEB COPY

Mansoor @ Mohamed Mansoor

: Petitioner

Vs.

1.State through the Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(In C.C.No.33 of 2016).

2.Amsa

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of Charge Sheet in C.C.No.33 of 2016 on the file of the learned Judicial Magistrate, Seranmahadevi and quash the same as illegal.

For Petitioner : Mr.S.M.A.Jinnah
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)
For R-2 : Mr.M.Kaushikan

ORDER

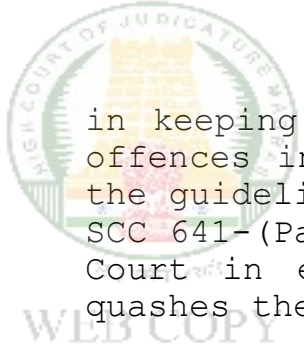
The present Criminal Original Petition has been filed to quash the proceedings in C.C.No.33 of 2016, on the file of the learned Judicial Magistrate, Seranmahadevi, for an alleged offences under Sections 452, 294(b) and 323 of I.P.C r/w Section 4 of Women Harassment Act.

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. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.K.Raja, Special Sub-Inspector of Police and they have also produced the copies of the Aadhaar Card 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.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Under such circumstances, no useful purpose will be served



in keeping the First Information Report 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 First Information Report in C.C.No.33 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.33 of 2016, on the file of the learned Judicial Magistrate, Seranmahadevi is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.1,000/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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-II)

/True Copy/

Sub Assistant Registrar(CS-III)

ENCL: XEROX COPY OF JOINT MEMO COMPROMISE
To

1.The Judicial Magistrate, Seranmahadevi.

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

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

4.The Chief Justice Relief Fund,
Madurai Bench of Madras High Court,
Madurai.

• 1 CC TO Mr.S.M.A.Jinnah, ADVOCATE IN SR No.86150

RMI

DS SV SAR-3 25 10 2018 2P 6C

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