



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.09.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**
Cr1.O.P. [MD] .No.17258 of 2018

WEB COPY

Indhira Moorthi : Petitioner/Sole Accused

Vs.

1.The State Represented by
The Inspector of Police,
All Women Police Station,
Vilathikulam,
Thoothukudi District.
(Crime No.3 of 2017) : 1st Respondent/Complainant

2.Maria Nisha Shamili : 2nd Respondent/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in connection with the impugned charge sheet in Special S.C.No.33 of 2018 on the file of the Learned Mahila Court Thoothukudi and quash the same.

For Petitioner : Mr.P.Banu Prasath

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1.Side)

ORDER

The present Criminal Original Petition has been filed to quash the proceedings in Special S.C.No.33 of 2018 on the file of the Learned Judge, Mahila Court, Thoothukudi.

2. The case is still at 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 petitioners 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.S.Jegatheeswaran, Sub-Inspector of Police. 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 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 Proceedings in S.C.No.33 of 2018.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.33 of 2018, on the file of the learned Judge, Mahila Court, Thoothukudi, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS-I)

ENCL: Joint Compromise Memo.

To

1.The District Judge,
Mahila Court,
Thoothukudi.

2.The Inspector of Police,
All Women Police Station,
Vilathikulam, Thoothukudi District.

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

+1 CC To MR.P.BANU PRASATH, Advocate SR. NO. 87486

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TR/RSK/SAR-I(11.10.2018)2P 5C