



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Cr1.O.P.[MD].No.17427 of 2018

WEB COPY

Sathya @ Sathyapriya : Petitioner/Sole Accused
Vs.

1.State Rep. by
The Inspector of Police
Y.Othakadai Police Station,
Madurai District.
(Crime No.368 of 2016) : 1st Respondent/Complainant

2.Maheswari : 2nd Respondent/Defacto Complainant
PRAYER : Criminal Original Petition is filed under Section 482 of
Cr.P.C., to call for the records and proceedings relating to the
charge sheet in C.C.No.124/2016 on the file of the learned Judicial
Magistrate, Melur, Madurai District and quash the same.

For Petitioner : Mr.S.Sathya Chidambaram
For Respondents : Mr.K.Suyambulinga Bharathi for R1
Government Advocate [Criminal Side]
Mr.B.Santhanam Rajeshkumar
for R2

ORDER

The Criminal Original Petition has been filed to quash the
C.C.No.124/2016 on the file of the learned Judicial Magistrate,
Melur, Madurai District, pursuant to the compromise arrived at by
the parties.

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 parties were also present
before the Court and they were identified by Mr.A.Jeyaraman, 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.

4. Under such circumstances, no useful purpose will be served
in keeping the Calender Case 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
611 (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat), this
Court in exercise of its jurisdiction under Section 482 Cr.P.C.

quashes the Calendar Case in C.C.No.124/2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.124/2016 on the file of the learned Judicial Magistrate, Melur, Madurai 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.750/- as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), 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(T&P)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl: Xerox copy of Joint Compromise Memo

To

1.The Judicial Magistrate, Melur, Madurai.

2.The Inspector of Police

Y.Othakadai Police Station,
Madurai District.

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

4.The District Siddha Medical Officer,
CCR1, Periyakulam.

Copy To:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)** (Reporting compliance)

+ 1 CC TO Mr.S.Sathya Chidambaram , ADVOCATE IN SR No.87410.

Tm

DS RP SAR3 27 10 2018 2P 8C