



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.17445 of 2018

1.Mahendran
2.Balakrishnan
3.Somu
4.Indira @ Indira Kumari : Petitioners

Vs.

1. The Sub Inspector of Police,
Salaigramam Police Station,
Ilayankudi Taluk,
Sivagangai District.

2. Nagasamy : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the case in C.C.No.5 of 2014 on the file of the District Munsif cum Judicial Magistrate Court, Ilayangudi, by accepting the joint compromise memo dated 25.09.2018.

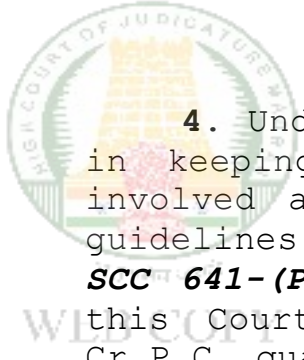
For Petitioners : Mr.D.Sasi Kumar
For R-1 : Mr.M.Chandra Sekaran
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No. 5 of 2014, on the file of the learned District Munsif cum Judicial Magistrate Court, Ilayangudi for the offence punishable under Sections 294(b), 323, 324, 325, 506(ii) I.P.C.

2. The case is under 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 have 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 produce the copy of the Aadhaar Card is 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.5 of 2014.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.5 of 2014, on the file of the learned District Munsif cum Judicial Magistrate Court, Ilayangudi, 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.250/- (Rupees Two Hundred and Fifty Only) 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar (CS-I)

Encl.: Xerox copy of Compromise Memo

To

1. The District Munsif cum Judicial Magistrate, Ilayangudi.
2. The Sub Inspector of Police, Salaigramam Police Station, Ilayankudi Taluk, Sivagangai District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
4. The Section Officer, Criminal Section, Madurai Bench of Madras High Court, Madurai. (2 Copies)

Copy To:-

The District Siddha Medical Officer, CCRI, Periyakulam.

+ 1 CC TO Mr.D.SASIKUMAR, ADVOCATE IN SR No. 88496

DAS

TE/SV/SAR-1 : 29/10/2018 : 2P/8C

CrI.O.P.[MD].No.17445 of 2018

01.10.2018

(1/2)