



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2018

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.19337 of 2018

Karthi @ J.Rajkumar : Petitioner/Accused
Vs.

1.The Sub Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.
[Crime No.16 of 2013] :1st Respondent/Complainant

2.Sasikumar :2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned charge sheet laid against the accused in C.C.No.191 of 2015 on the file of the Judicial Magistrate Court No.1, Thoothukudi and quash the same.

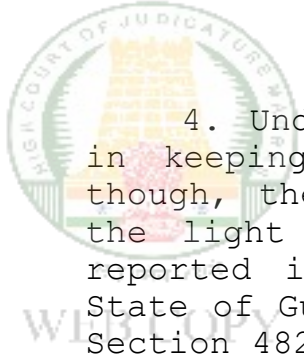
For Petitioner : Mr.S.Saravanan
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate[Crl. side]
For R-2 : Mr.T.R.Rameshraja

ORDER

The Criminal Original Petition has been filed to quash to the case in C.C.No.191 of 2015 on the file of the Judicial Magistrate Court No.1, Thoothukudi, for the alleged offences under Sections 294 (b) and 506(ii) of IPC.

2. The case is still in the stage of 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. The parties were also present before the Court and they were identified by Mr.P.Veerabagu, 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.



4. Under such circumstances, no useful purpose will be served in keeping the proceedings in CC No.191 of 2015 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 CC. No.191 of 2015.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No.191 of 2015, on the file of the Judicial Magistrate -I, Thoothukudi, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.750/- (Rupees Seven Hundred and Fifty only) to the credit of "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(CS-III)

/True Copy/

Sub Assistant Registrar(CS-I)

dsk
To

- 1.The Judicial Magistrate -I,
Thoothukudi.
- 2.The Sub Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.
- 3.The District Siddha Medical Officer,
CCRI, Periyakulam.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.Saravanan, Advocate in SR No.92799

Cr1.O.P. [MD].No.19337 of 2018