



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.10.2018**

CORAM:

THE HONOURABLE MR. JUSTICE **N. ANAND VENKATESH**

Crl.O.P. [MD].No.17841 of 2018

WEB COPY

1.N.Subramanian

2.M.Saravanan

: Petitioners/Accused Nos. 1 & 2

Vs.

1. The Inspector of Police,

Krishnankovil Police Station,

Virudhunagar District.

Crime No.181 of 2012 : 1st Respondent/Complainant

2. Rajendran

: 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to C.C.No.113 of 2013 on the file of the learned Judicial Magistrate No.II, Sriviliputhur and quash the same in respect of this petitioners by accepting the joint compromise memo dated 26.09.2018.

For Petitioners : Mr.S.Ravi

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate [Crl. Side]

For R-2 : Mr.M.Ramesh

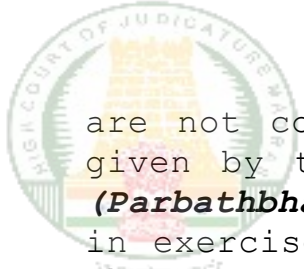
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.113 of 2013, on the file of the learned Judicial Magistrate No.II, Sriviliputhur, for the alleged offence under Sections 341, 294(b), 387, 324, 326 and 506 (ii) 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 has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.V.Seenivasan, SSI 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 C.C., 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 C.C.No.113 of 2013.

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5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.113 of 2013 on the file of the learned Judicial Magistrate No.II, Sriviliputhur, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.1000/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee) 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(Records)

/True Copy/

Sub Assistant Registrar(CS-III)

Encl: Xerox copy of Joint Compromise Memo

To

1. The Inspector of Police,
Krishnankovil Police Station,
Virudhunagar District.
2. The Judicial Magistrate No.II,
Sriviliputhur.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Member Secretary
Tamil Nadu State Legal Services Committee,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Ravi, Advocate Sr.No.89215

MM

VB/PM/SAR3/23.11.2018/2P/6C

Cr1.O.P. [MD] .No.17841 of 2018
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