



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD].No.18404 of 2018

Dinesh

: Petitioner

Vs.

1.State represented by
The Inspector of Police,
All Women Police Station,
Thirumangalam,
Madurai.
In Crime No.108 of 2016

2.Priyanga

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the final report against the petitioner in S.C.No.453 of 2018 on the file of the District Mahila Court, Madurai in Crime No.108 of 2016 on the file of the first respondent police and quash the same.

For Petitioner : Mr.S.Ramachandra Pradeep

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

For R-2 : Mr.G.Murugeshan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.453 of 2018, on the file of the learned District Mahila Court, Madurai, for an alleged offences under Sections 417 and 376 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 petitioner 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.Meharaj, 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 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.453 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.453 of 2018, on the file of the learned District Mahila Court, Madurai, 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.5000/- as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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-I)

/True Copy/

Sub Assistant Registrar(CS-II)

rmi

ENCLOSE: Xerox Copy of Joint Compromise Memo.
To

- 1.The Judge,
District Mahila Court, Madurai.
- 2.The Inspector of Police,
All Women Police Station,
Thirumangalam,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to
The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.[MD].No.18404 of 2018