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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.30286 of 2015

and

MP No.1 of 2015

1.Shanmugam

2.Gopi

..Petitioners/Accused

.Vs.

1.State rep.by

Inspector of Police,
Vettavalam Police Station,
Thiruvannamalai District.

...1st Respondent/Complainant

[Crime No.190 of 2013]

2.The Village Administrative Officer,
No.180, Sanipoondi Group Villages,
Thiruvannamalai Taluk & District.

...2nd Respondent/Defacto Complainant

3.Kasthuri (mother of deceased Subash)

4.Murugan

5.Siva

..Respondents 3 to 5

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to charge sheet in P.R.C.No.33 of 2014, on the file of learned Judicial Magistrate No.II, Thiruvannamalai, Thiruvannamalai District and quash the same.

For Petitioners : Mr.T.P.Sekar

For R 1 & R 2 : Mr.M.Mohamed Riyaz, APP

For R 3 : Mr.F.Terry Chellaraja for
Mr.G.Shanmugam

For R 4 : Mr.R.Sankarasubbu



ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in P.R.C.No.33 of 2014, on the file of Judicial Magistrate No.II, Thiruvannamalai.

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. Memo of Compromise, dated 26.08.2019, has been filed before this Court which have been signed by the petitioners and the respondents 3, 4 & 5 and also by their respective counsel. The petitioners and the respondents 3, 4 & 5 were also present in person before this Court. 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 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 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quash the proceedings in P.R.C.No.33 of 2014, on the file of Judicial Magistrate No.II, Thiruvannamalai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.33 of 2014, on the file of Judicial Magistrate No.II, Thiruvannamalai, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.2,500/- (Rupees two thousand five hundred only) as costs, to the Madras High Court Advocates Clerks Welfare Association, within a period of one week from the date of receipt of copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, the connected Miscellaneous Petition is closed.

*Xerox copy of the Memo of compromise Enclosed dt:26/8/19

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



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1.The Inspector of Police,
Vettavalam Police Station,
Thiruvannamalai District.

2.The Village Administrative Officer,
No.180, Sanipoondi Group Villages,
Thiruvannamalai Taluk & District.

3.Judicial Magistrate No.II,
Thiruvannamalai District.

4.The Public Prosecutor,
High Court,
Madras.

5.The Secretary, Madras High court
Advocates clerks welfare Association
High court, Madras.

6.The Registrar(Judicial)
High Court, Madras.

+6cc to Mr.T.P.Sekar, Advocate SR.73135

Crl.O.P.No.30286 of 2015

VBA (CO)
CB(24/10/2019)