

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.14517 of 2019

1.A.M.Mohamed Ziauddin

2.P.M.Mumtaj Begum

...Petitioners

Vs.

1.State by

Sub Inspector of Police,
Koothanallur Police Station,
Thiruvarur District.

(Crime No.274/2007)

V.M.Syed Ahamed (died)

2.P.M.Fathima Beevi

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.136 of 2007 on the file of the Judicial Magistrate II Mannargudi and quash the same.

For Petitioner : Mr. K.Sukumaran

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

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.136 of 2007, pending on the file of the Judicial Magistrate II, Mannargudi.

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. The Affidavit dated 04.07.2019 has been filed by the 2nd respondent/de-facto complainant before this Court. The second respondent present in person before this Court and she was identified by Mr.C.Selvaraj, Special Sub Inspector of Police, Koothanallur Police Station, Thiruvarur. In order to identify the respondent/de-facto complainant, she has produced

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.136 of 2007.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.136 of 2007 pending on the file of the Judicial Magistrate II, Mannargudi, is quashed and the terms of affidavit shall form part and parcel of this order.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP
To

- 1.The Sub Inspector of Police,
Koothanallur Police Station,
Thiruvavarur District.
- 2.The Judicial Magistrate II,
Mannarguri.
- 3.-Do- Thro The Chief Judicial Magistrate,
Tiruvavarur.
- 4.The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.K.Sukumaran, Advocate Sr.56712

Cr1.O.P.No.14517 of 2019

mp[co]
srg 01/08/2019