

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.8322 of 2019

Rahman

...Petitioner

Vs.

1.State rep by,
The Inspector of Police,
Moongilthuraipattu Police Station
Villipuram District.
(Crime No.116 of 2011)

2.M.Meharaj

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.109 of 2013 pending on the file of learned Judicial Magistrate, Sankarapuram, Villipuram District and quash the same.

For Petitioner : Mr.Balasubramaniam

For Respondents

For R1 : Mr.C.Raghavan

Government Advocate (Cr1.Side)

For R2 : Mr.A.Ramesh Babu

ORDER

This Criminal Original Petition has been filed to quash the C.C.No. 109 of 2013 pending on the file of the learned Judicial Magistrate, Sankarapuram, Villipuram District, pursuant to the compromise arrived at by the parties.

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. All the parties are present and

identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card 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 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. quashes the C.C.No.109 of 2013.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No. 109 of 2013, on the file of the Judicial Magistrate, Sankarapuram, Villipuram District is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this Order. The petitioner shall pay a sum of Rs.5,000/-, as costs, to the Manasu (Mana Nala Sugalayam) at No.695/2, Vaithiar Street, Thirusulam, Chennai-43 (Ph:22640809, 7299110658) 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)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

mpa/vsn

To

1. The Judicial Magistrate, Sankarapuram,
Villipuram District.

2.Do thro the Chief Judicial Magistrate, Villupuram Dt.

3.The Inspector of Police,
Moongilthuraipattu Police Station
Villipuram District.

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4.The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.Balasubramaniam , Advocate SR.No. 29481

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A.SK(27/05/2019)



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