

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8311 of 2019

1.Rahman
2.Jafar

...Petitioners

Vs.

1.State rep by,
The Inspector of Police,
All Women Police Station
Thirukovilur, Villipuram District.
(Crime No.34 of 2011)

2.Naseem

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.C.No.31 of 2017 pending on the file of learned Judicial Magistrate, Sankarapuram, Villipuram District and quash the same.

For Petitioners: Mr.Balasubramaniam

For RR1 : Mr.C.Raghavan
Government Advocate (Crl.Side)

For RR2 : Mr.A.Ramesh Babu

ORDER

This Criminal Original Petition has been filed to quash the C.C.No.31 of 2017 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 petitioners 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the C.C.No.31 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.31 of 2017, 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 petitioners shall pay a sum of Rs.5,000/-, as costs, to the Udavum Karangal at No.460, 25th Street, N S K Nagar, Arumbakkam, Chennai-600 106. (Ph.No.9144-26216321, 26216421, 26222161) 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

mpa/vsn

To

1.The Judicial Magistrate, Sankarapuram,
Villipuram District

2.The Inspector of Police,
All Women Police Station
Thirukovilur, Villipuram District.

3.The Public Prosecutor,
High Court,Madras.

+1cc to Mr.Balasubramaniam , Advocate SR.No. 29483

Cr1.O.P.No.8311 of 2019

A.SK(27/05/2019)