

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.14617 of 2019

P.Samidurai

...Petitioner/A-1

Vs.

1.S.Parimala

...1st Respondent/De-facto Complainant

2.The State rep.by,
The Inspector of Police,
All Women Police Station,
Thirukovilur,
Villupuram District.
Crime No.3 of 2012.

...2nd Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the Criminal case in C.C.No.295 of 2013 on the file of the learned Judicial Magistrate, Sankarapuram and quash the same in terms of the compromise by allowing this Criminal Original petition.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
(for R2)

ORDER

The Criminal Original Petition has been filed to call for the records relating to the Criminal case in C.C.No.295 of 2013 on the file of the learned Judicial Magistrate, Sankarapuram and quash the same in terms of the compromise by allowing this Criminal Original petition.

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, dated 16.04.2019, has been filed before this Court which have been signed by the petitioner and the first respondent and also by their respective counsel.

The petitioner and the 1st respondent were also present in person before this Court and they were identified by Mr.A.Gowthami, W.P.C -1506, All Women Police Station, Thirukovilur. 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 Case in C.C.No.295 of 2013 pending on the file of the learned Judicial Magistrate, Sankarapuram.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.295 of 2013 pending on the file of the learned Judicial Magistrate, Sankarapuram, is hereby quashed and the terms of Memo of Compromise shall form part and parcel of this order.

jas/uma

**Copy of Memo of Compromise is enclosed herewith*

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Sankarapuram.

2. The Inspector of Police,
All Women Police Station,
Thirukovilur,
Villupuram District.
Crime No.3 of 2012.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Manokaran, Advocate, SR.No.47854

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Kak(24/07/2019)