



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM:

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]No.3843 of 2019

1.K.Iyappan
2.Ramalakshmi
3.K.Arun Kumar
4.K.Manikandan
5.S.Krishnan

: Petitioners / Accused Nos.1 to 5

Vs.

1.The Inspector of Police,
Vadaseri Police Station,
Nagercoil,
Kanyakumari District
(Crime No.311 of 2017)

: 1st Respondent / Complainant

2Lexmi

: 2nd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to record the Joint Compromise Memo as part and parcel of the quash petition and quash the criminal case in S.C.No.36 of 2018 on the file of the II Additional District Court, Tirunelveli.

For Petitioners : Mr.S.Louis

For R-1 : Mr.V.Neelakandan,
Additional Public Prosecutor.

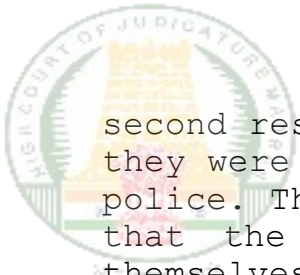
For R-2 : Mr.S.Sundara Pandian

ORDER

The Criminal Original Petition has been filed to quash the criminal case in S.C.No.36 of 2018 on the file of the II Additional District Court, Tirunelveli, for the alleged offences under Sections 494, 294(b), 323 IPC and Section 3(1)(x) of SC/ST (Prevention of Atrocities) Act, 1989. The offences are chiefly private in nature.

2. The case is pending trial before the concerned court. 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 has been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the



second respondent were also present in person before this Court and they were identified by the police attached to the first respondent police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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4. Under such circumstances, no useful purpose will be served in keeping the proceedings pending, even though, the offence involved is not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in ***the State of Madhya Pradesh Vs. Laxmi Narayan & Others*** [CDJ 2019 SC 264] and ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath*** [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the criminal case in S.C.No.36 of 2018 on the file of the II Additional District Court, Tirunelveli,

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.36 of 2018 on the file of the II Additional District Court, Tirunelveli, 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.500/-, each as costs, to the credit of the "District Siddha Medical Officer, CCRI, Periyakulam" (payable in Account No.10767823177, SBI, Periyakulam), 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 (CO)

// True Copy //

Sub Assistant Registrar (CS)

CM

ENCL.: XEROX COPY OF COMPROMISE MEMO.

To

1. The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



3. The Officer Incharge,
District Siddha Medical Officer,
CCRI, Periyakulam.

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+1CC TO MR.S.LOUIS, Advocate Sr. No.56422

Cr1.O.P. [MD]No.3843 of 2019
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AL(CO)
TR (29.05.2019) 3P 5C