



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE
CrI.O.P.[MD]No.3966 of 2019

WEB COPY

1.R.Saravanaprabhu

2.R.Siva

: Petitioners/A1 and A2

Vs.

1.The State through

Inspector of Police,
Southgate Police Station,
Madurai District.

Crime No.665/2017

:R1/Complainant

2.K.Gopi

:R2/Defacto Complainant

3 Minor .G.Balaji

4.G.Rajeswaran

:Respondents3and4/Victims

Minors reply Father K.Gopi

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to C.C.No.181 of 2017 in Crime No.665 of 2017 on the file of the Judicial Magistrate Court No.IV, Madurai and quash the same.

For Petitioners : Mr.B.Muneeswaran

For R-1

: Mr.V.Neelakandan

Additional Public Prosecutor

For R-2

: Mr.S.J.Chakkaravarthy

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.181 of 2017, on the file of the Judicial Magistrate Court No.IV, Madurai, for an alleged offences under Sections 341, 294(b), 324 and 506(ii) IPC. The offences are chiefly private in nature.

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. The petitioners and the second respondent were also present in person before this Court and they were identified by S.Ganagurusamy, Sub-Inspector of Police, B5 SouthGate Police Station, Madurai. 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 ***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 proceedings in C.C.No.181 of 2017.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.181 of 2017, on the file of the Judicial Magistrate Court No.IV, Madurai, 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.1,000/-, 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 (P&A)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Judicial Magistrate No.IV, Madurai.
- 2.The Inspector of Police,
Southgate Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To:

- 1.The District Siddha Medical Officer,
CCRI, Periyakulam

CrI.O.P. [MD]No.3966 of 2019
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SP/03.05.2019/ 2P/5C