



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

CrI.O.P. [MD] No. 412 of 2019

and

CrI.M.P. (MD) Nos. 209 and 210 of 2019

Arivuselvi

: Petitioner

Vs.

Devaraj

: Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the case in C.C.No.367 of 2018 on the file of the learned Judicial Magistrate No.II, Trichirappalli and quash the same.

For Petitioner : Mr.C.Vakeeswaran
For Respondent : Mr.Mohideen Basha

ORDER

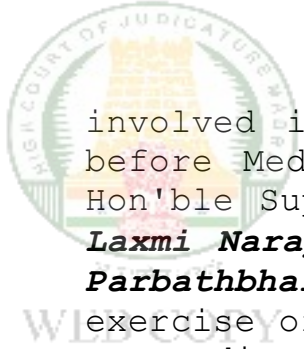
The Criminal Original Petition has been filed to quash the proceedings in C.C.No.367 of 2018 on the file of the learned Judicial Magistrate No.II, Trichirappalli, for the alleged offences under Sections 138 and 142 of Negotiable Instruments Act. The offence is chiefly private in nature.

2. This Court earlier referred this matter to the Mediation and Conciliation Center attached to this Bench, wherein the issue between the parties is settled amicably and the Mediation Centre has also sent its report to this Court.

3. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. 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. The petitioner and the second respondent were also present in person before this Court. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. Under such circumstances, no useful purpose will be served in keeping the proceedings pending, even though, the offence



involved is compoundable in nature, since the matter is settled before Mediation. 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.367 of 2018 on the file of the learned Judicial Magistrate No.II, Trichirappalli.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.367 of 2018 on the file of the learned Judicial Magistrate No.II, Trichirappalli 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.1,000/-, 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. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar (CS)

ENCL:Xerox copy of Mediation Report, Settlement Agreement
To

1.The Judicial Magistrate No.II,
Trichirappalli.

2.The District Siddha Medical Officer,
CCRI, Periakulam

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-59166[F] dated
05/04/2019)

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KM/ (02.05.2019) 3P 4C