



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE**CrI.O.P.[MD]No.4229 of 2019**

WEB COPY

Chellapandi

: Petitioner/Sole Accused

Vs.

1. The Inspector of Police,
Koodakovil Police Station,
Thirumangalam Taluk,
Madurai District.

:1st Respondent/Complainant

2. Kalaiselvi (Minor)
D/o.Rathinasamy
(Minor rep. By her father Rathinasamy

:2nd Respondent/Defacto
complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Spl.S.C.No.171 of 2018 on the file of the District Mahila Court, Madurai District and quash the same as illegal.

For Petitioner : Mr.V.P.Rajan
For R-1 : Mr.V.Neelakandan
Additional Public Prosecutor
For R-2 : Mr.V.Suresh Kanna

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.171 of 2018, on the file of the District Mahila Court, Madurai District, for an alleged offences under Sections 341 IPC r/w 7 & 8 of POSCO Act. The offences are chiefly private in nature.

2. The petitioner herein faces accusation for the offence under Section 341 IPC r/w 7 & 8 of POSCO Act. The basi accusation is that the petitioner, who is the relative of the victim girl appears to have made a proposal of his love with the girl and this case resulted in this case. 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 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 and they were identified by V.Bagharthin Paruk, Inspector of Police, Koodakovil Police Station, Thirumangalam Taluk, Madurai District, Contact No.9498182097. 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, since the offence on the face of it is not very heinous and the parties are also relatives, 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 Gujrat*** [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Spl.S.C.No.171 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.171 of 2018, on the file of the District Mahila Court, Madurai, 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.

sd/
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

Encl.:Xerox Copy of Joint Compromise Memo

To

1. The District Mahila Court, Madurai.

2. The Inspector of Police,
Koodakovil Police Station,
Thirumangalam Taluk,
Madurai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

4. The District Siddha Medical Officer,
CCRI, Periyakulam

+1.CC. To Mr.V.Suresh Kanna, Advocate in SR No.55637

Cr1.O.P. [MD]No.4229 of 2019

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