



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Cr1.O.P. [MD] No. 4256 of 2019

1. A. Alagumarichelvam

2. R. Muthukrishnan : Petitioners / Accused 1 & 2

Vs.

1. The State Represented by its
Inspector of Police,
Pasuvanthai Police Station,
Thoothukudi District.
(Cr.No.107/2017)

: 1st Respondent / Complainant

2. Iyyappan

: 2nd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records relating to the Charge Sheet in STC No.418 of 2019 on the file of the learned Judicial Magistrate No.II, Kovilpatti against the petitioners 1 and 2 and quash the same.

For Petitioners : Mr. Niranjana S. Kumar

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

For R-2 : Mr. M. Karunakaran

ORDER

The Criminal Original Petition has been filed to quash the impugned charge sheet in STC No.418 of 2019, on the file of the learned Judicial Magistrate No.II, Kovilpatti, for the alleged offences under Sections 294(b) and 323 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 petitioner 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 represented by Mr. S. Seenivasagam, Special Sub-Inspector of Police, Pasuvanthanai Police Station, Thoothukudi District, Contact No.94981 95887. 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 impugned charge sheet in STC No.418 of 2019, on the file of the learned Judicial Magistrate No.II, Kovilpatti.

5. This Criminal Original Petition stands allowed and as a sequel, the impugned charge sheet in STC No.418 of 2019, on the file of the learned Judicial Magistrate No.II, Kovilpatti, Thoothukudi District, 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/-, 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

// True Copy //

Sub Assistant Registrar (CS)

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ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. The Judicial Magistrate No.II, Kovilpatti,
Thoothukudi District
2. The Inspector of Police,
Pasuvanthai Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The District Siddha Medical Officer,
CCRI, Periyakulam,



5. The Section Officer,
Criminal Section, Madurai Bench of Madras High Court,
Madurai. (2 copies)

+4CC TO MR.NIRANJAN S.KUMAR, Advocate Sr. No.57703

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TR (26.04.2019) 3P 11C