



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.4315 of 2019

P.Alagappan

: Petitioner

Vs.

1.The State of Tamil Nadu,
represented by the Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District. .1st Respondent/Complainant

2.Sathishkumar ..2nd Respondent/Defacto Complainant

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.60 of 2018 on the file of the District Munsif cum Judicial Magistrate, Kamuthi and quash the same.

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

ORDER

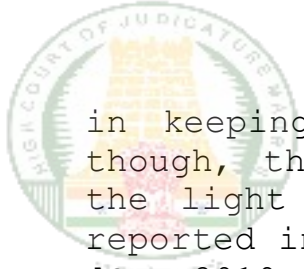
The Criminal Original Petition has been filed to quash the proceedings in C.C.No.60 of 2018 on the file of the Principal District Munsif cum Judicial Magistrate Court at District Munsif cum Judicial Magistrate, Kamuthi, for the alleged offence under Sections 294 (b), 506(ii), 120(b) IPC and Section 4 of Tamil Nadu Prohibition of Woman Harassment Act, 2002.

2. 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.

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 the police attached to the respondent police station. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Under such circumstances, no useful purpose will be served



in keeping the proceedings in C.C.No.60 of 2018 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 Gujrat*** [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.60 of 2018 on the file of the District Munsif cum Judicial Magistrate, Kamuthi.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.60 of 2018 on the file of the District Munsif cum Judicial Magistrate, Kamuthi is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioner shall pay a sum of Rs.500/-, 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 (AE)

// True Copy //

Sub Assistant Registrar (CS)

Encl:Xerox copy of joint compromise memo
To

1.The District Munsif cum Judicial Magistrate,
Kamuthi.

2.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

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

+1 CC to M/s.V.SUKUMAR, Advocate (SR-63485[F] dated 27/04/2019)

TA

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