



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.5131 of 2019

1.Dhinakaran
2.Jeyapandi

: Petitioners

Vs.

1.The State through
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.

2.Thiruppathi

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No.33 of 2016 by the Judicial Magistrate, Karaikudi insofar as the petitioner is concerned.

For Petitioner : Mr.D.Venkatesh

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

For R-2 : Mr.T.Lenin Kumar

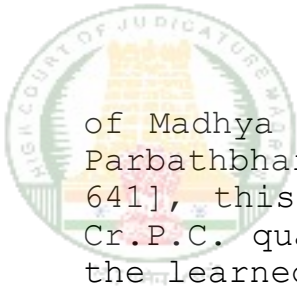
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.33 of 2016 on the file of the learned Judicial Magistrate, Karaikudi, for the alleged offences under Sections 294 (b), 324 and 506(ii) IPC. The offence is chiefly private in nature.

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 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 Ms.J.Manimozhi, Sub-Inspector of Police, North Police Station, Karaikudi District, Contact No.94981 77157. 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 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 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.33 of 2016 on the file of the learned Judicial Magistrate, Karaikudi.

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5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.33 of 2016 on the file of the learned Judicial Magistrate, Karaikudi 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(Crl. Side)

/TRUE COPY/

Sub Assistant Registrar(CS)

Xerox Copy of Compromise Memo.

To

- 1.The Judicial Magistrate,
Karaikudi.
- 2.The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

- 1.The District Siddha Medical Officer,
CCRI,
Periyakulam.
- 2.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

+1 CC to M/s.D.VENKATESH, Advocate (SR-59723[F] dated 08/04/2019)

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