



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI
Crl.O.P.[MD]No.5188 of 2019

WEB COPY

- 1.Velmurugan
- 2.Annasamy
- 3.Vairam @ Vairamuthu

.. Petitioners/Accused Nos.1 to 3

vs.

- 1.State Rep. through the
Inspector of Police,
Airport Police Station,
Trichy City,
Trichy.
(Crime No.716 of 2017)

.. 1st Respondent/Complainant

- 2.Nepoliyan

.. 2nd Respondent/De-facto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the charge sheet in C.C.No.103 of 2018, pending on the file of the Judicial Magistrate Court No.VI, Trichy.

For Petitioners : Mr.R.Karunanidhi

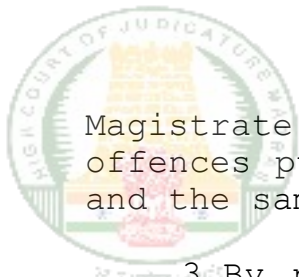
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

For R2 : Mr.V.Kalichamy

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.103 of 2018, pending on the file of the Judicial Magistrate Court No.VI, Trichy.

2.The case of the prosecution is that the second respondent/de-facto complainant and one Panchavarnam are husband and wife. Due to family dispute, on 28.11.2017 at 7.00 a.m., the petitioners, who are the sister-in-law's sons of the second respondent, abused the second respondent/de-facto complainant in filthy language and assaulted him and therefore, a case in Crime No.716 of 2017 has been registered against them for the offences punishable under Sections 294(b), 324 and 306(1) IPC. After completion of investigation, the Law Enforcing Agency has filed a final report before the Judicial



Magistrate Court No.VI, Trichy, against the petitioners for the offences punishable under Sections 294(b), 324, 448 and 506(ii) IPC and the same was taken on file in C.C.No.103 of 2018.

3. 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 has 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 Mr. Subramanian, Special Sub-Inspector of Police, Airport Police Station, Trichy. 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 C.C.No.103 of 2018 pending. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 (9) SCC 641- (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No.103 of 2018.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.103 of 2018, on the file of the Judicial Magistrate Court No.VI, Trichy, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

Smn2

Encl: Xerox Copy of Joint Compromise Memo.

To

1. The Judicial Magistrate No.VI, Trichy.

2. The Inspector of Police,

Airport Police Station, Trichy City, Trichy.

3. The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

1 CC to M/s.R.KARUNANIDHI, Advocate (SR-61312[F] dated 16/04/2019)

CrI.O.P.[MD]No.5188 of 2019

15.04.2019