



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Cr1.O.P. [MD]No.5618 of 2019

1. Sabarirajan

2. S. Ishwariya

(2nd petitioner name is wrongly mentioned as Aiswarya
in the charge sheet)

: Petitioners/Accused 1 & 2

Vs.

1. State represented by

The Inspector of Police,
Musiri Police Station,
Trichy District.

(Crime No.34 of 2019)

: 1st Respondent/Complainant

2. Ramakrishnan

: 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to C.C.No.52 of 2019 on the file of the Judicial Magistrate Court, Musiri and quash the same.

For Petitioners

: Mr.N.Syed Ali

For R-1

: Mr.V.Neelakandan,

Additional Public Prosecutor.

For R-2

: Mr.Boopathi Pandiyan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.52 of 2019 on the file of the Judicial Magistrate Court, Musiri, for the alleged offence under Sections 457 and 380 IPC.

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 Mr.R.Senthil Kumar, Sub-Inspector of Police, Musiri Police Station, Trichy District. 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 in C.C.No.52 of 2019 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.52 of 2019 on the file of the Judicial Magistrate Court, Musiri.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.52 of 2019 on the file of the Judicial Magistrate Court, Musiri is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. Each of the petitioners 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 ()

// True Copy //

Sub Assistant Registrar (CS)

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

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To

- 1.The Judicial Magistrate Court, Musiri.
- 2.The Chief Judicial Magistrate, Trichy.
- 3.The Inspector of Police,
Musiri Police Station,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to

The Officer Incharge,
District Siddha Medical Officer, CCRI, Periyakulam

WEB COPY

+1CC TO MR.N.SEYAD ALI, Advocate Sr. No. 62651

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NS (CO)

TR (28.05.2019) 3P 7C