



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P. [MD] .No.5687 of 2019

and

CRL.M.P. (MD) Nos.3575 and 3576 of 2019

1.B.Selvamani

2.S.Krishna Moorthy

3.P.Karuppasamy

3

... Petitioners / Accused Nos.1 to

Vs.

1. The State Represented by
The Inspector of Police,
Sattur Taluk Police Station,
Virudhunagar District.
(Crime No.219 of 2018)

...1st Respondent / Complainant

2. S.Velammal

... 2nd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the entire records pertaining to the case in C.C.No.56 of 2019 on the file of the learned Judicial Magistrate No.II, Sattur, Virudhunagar District and quash the same as against the petitioners.

For Petitioners : Mr.R.Anand

For R1 : Mr.A.P.G.OHM.Chairma Prabhu,
Government Advocate [Crl. Side]

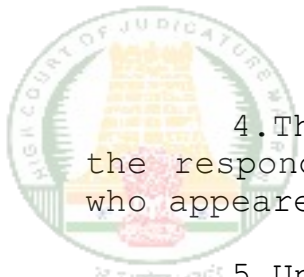
For R2 : Mr.M.Alagarsamy

ORDER

This Criminal Original Petition has been filed to quash the case in C.C.No.56 of 2019 on the file of the learned Judicial Magistrate No.II, Sattur, Virudhunagar District.

2.The learned counsel appearing for the petitioners would submit that the parties are compromised themselves by way of paying reasonable compensation to the defacto complainant and her legal heirs.

3.The defacto complainant and the petitioners have appeared before this Court and the defacto complainant has submitted that she has received a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) (Rs.2,00,000/- each to her sons and Rs.1,00,000/- to her) from the petitioners. In this regard, they have also filed an affidavit before this Court.



4.The learned Government Advocate (Crl.Side) appearing for the respondent police has no objection and identified the parties, who appeared before this Court.

5.Under such circumstances, no useful purpose will be served in keeping the case 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 **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.56 of 2019 on the file of the learned Judicial Magistrate No.II, Sattur, Virudhunagar District.

6.This Criminal Original Petition stands allowed and as a sequel, the case in C.C.No.56 of 2019 on the file of the learned Judicial Magistrate No.II, Sattur, Virudhunagar District is quashed. Each of the petitioners shall pay a sum of Rs.1,000/- as costs, to the credit of the "Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry, Madurai Bench) within a period of two weeks 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. Consequently, connected miscellaneous petitions are closed.

sd/

Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Sattur, Virudhunagar District.
2. The Inspector of Police,
Sattur Taluk Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

1. The Section Officer,
Account Section,
Madurai Bench of Madras High court, Madurai
2. The Section Officer,
Criminal Section, (2 Copies),
Madurai Bench of Madras High court, Madurai



+1 CC to Mr.R.ANAND, Advocate (SR-62362[F] dated 24/04/2019)

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22.04.2019

myr

MK/KK (06.05.2019) 3P 8C