



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

CrI.O.P. [MD]No.5750 of 2019

WEB COPY

1. Pauldurai
2. Muthuvel@Muthupandi
3. Kanjikumar
4. Viji
5. Johnvedhamuthu
6. Velaisamy

: Petitioners/A1 to A6

Vs.

1. State represented by
The Inspector of Police,
Jeyamangalam Police Station,
Theni District.
Crime No.66 of 2013

: 1st Respondent/Complainant

2. Pradeepdurai

: 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in connection with S.C.No.67 of 2014 pending on the file of the District and Sessions Court, Theni and quash the same in so far as this petitioners are concerned.

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

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.67 of 2014 on the file of the District and Sessions Court, Theni, for the alleged offence under Sections 417 and 376 IPC against the first petitioner and Section 506 (I) IPC against the second and the third petitioners.

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.C.Rajamani, Special Sub-Inspector of Police, Jeyamangalam Police Station, Theni District, Contact No.9498187796. 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 S.C.No.67 of 2014 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 S.C.No.67 of 2014 on the file of the District and Sessions Court, Theni.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.67 of 2014 on the file of the District and Sessions Court, Theni 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.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 (CO)

// True Copy //

Sub Assistant Registrar(CS)

Encl.:Xerox Copy of Joint Compromise Memo

To

1. The District and Sessions Court, Theni
2. The Inspector of Police,
Jeyamangalam Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The District Sidha Medical Officer,
CCRI, Periyakulam

+1 CC to M/s.A.BANUMATHY, Advocate (SR-7414[I] dated 26/04/2019)

Cr1.O.P.[MD]No.5750 of 2019
25.04.2019