WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]No.6299 of 2018

1.Sivakumar
2.Malaichamy
3.Malarkodi
4.Ramsamy
5.Marimuthu
6.Meenatchi
7.Devaki : Petitioners / Accused 1 to 7

Vs.

1.State represented by
The Inspector of Police,
Mayiladumparai Police Station,
Theni District.
: 1st Respondent / Complainant

2.Ramendran : 2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to charge sheet in C.C.No.262 of 2016 on the file of the Judicial Magistrate, Aundipatti, Theni District and quash the same.

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

For R2 :Mr.S.Ramachandra Pradeep

ORDER

The Criminal Original Petition has been filed to quash the C.C.No.262 of 2016 on the file of the Judicial Magistrate, Aundipatti, Theni District in Crime No.55 of 2015 on the file of the first respondent police for the offence under Sections 147, 148, 341, 294 (b), 323, 324, 427, 506 (ii) IPC.

2.The case is still in the stage of trial. 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

https://hcservices.ecourts.gov.in/hcservices/

WEB COPY

and the second respondent were also present in person before this Court and they were identified by **Mr.K.A.S.Pradeep, Sub-Inspector of Police, Mayiladumparai Police Station, Theni 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 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 ***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 impugned charge sheet in C.C.No.262 of 2016 on the file of the Judicial Magistrate, Aundipatti, Theni District.

5.This Criminal Original Petition stands allowed and as a sequel, the impugned charge sheet in C.C.No.262 of 2016 on the file of the Judicial Magistrate, Aundipatti, Theni District, 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.1000/-, 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 ()

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of Joint compromise memo

To

1.The Judicial Magistrate,
Aundipatti,
Theni District.

2.The Inspector of Police,
Mayiladumparai Police Station,
Theni District.

https://hcservices.ecourts.gov.in/hcservices/

WEB COPY

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

1 The Section Officer
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.-2 copies

2 The District Siddha Medical Officer,
CCRI, Periyakulam

+1 CC to M/s.S.RAMACHANDRA PRADEEP, Advocate (SR-63677[F] dated 29/04/2019)

dss

Crl.O.P.[MD]No.6299 of 2019
27.04.2019

KM/(24.05.2019) 3P 8C

https://hcservices.ecourts.gov.in/hcservices/