



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE
Cr1.O.P.[MD]No.6355 of 2019

WEB COPY

1.Manoj
2.Raja
3.Diwarhar
4.Pradhap : Petitioners / Accused Nos.1
to 4

Vs.

1.State Represented by
The Inspector of Police,
Uthamapalayam Police Station,
In Crime No.585 of 2017
Theni District. : 1st Respondent / Complainant

2.Packiyaselvi : 2nd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the charge sheet in C.C.No.105 of 2018 pending on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District and quash the same.

For Petitioners : Mr.K.M.Arun Prasath
For R-1 : Mr.V.Neelakandan,
Additional Public Prosecutor.
For R-2 : Ms.K.Vidya

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.105 of 2018 pending on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District for the alleged offences under Sections 294(b), 354A and 506(ii) IPC. The offence is chiefly private in nature.

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 third respondent and also by their respective counsel. The petitioners and the third respondent were also present in person before this



Court and they were identified by the police attached to the respondent Police Station. 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 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 case in C.C.No.105 of 2018 pending on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District.

5. This Criminal Original Petition stands allowed and as a sequel, the case in C.C.No.105 of 2018 pending on the file of the learned Judicial Magistrate, Uthamapalayam, 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.1,000/-, 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 (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

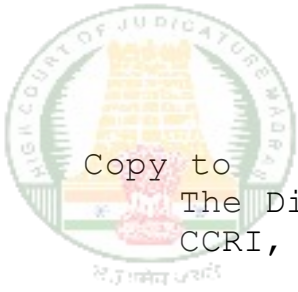
Encl:Xerox copy of joint compromise memo

To

1.The Judicial Magistrate,
Uthamapalayam,
Theni District

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

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



Copy to
The District Siddha Medical Officer,
CCRI, Periyakulam

+2 CC to M/s.K.M.ARUN PRASAD, Advocate (SR-64259[F] dated
30/04/2019)

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KM/ (30.05.2019) 3P 7C