



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Crl.O.P.[MD]Nos.747 and 748 of 2019

WEB COPY

Suriya : Petitioner in Crl.O.P.(MD)No.747 of 2019

- 1.Thangapandi
- 2.Sathish Kumar
- 3.Muthu Kumar
- 4.Elanjiam
- 5.Maheshwari

:Petitioners in Crl.O.P.(MD)No.748 of 2019

Vs.

- 1.The State rep by its,
The Inspector of Police,
Kalugumalai Police Station,
Thoothukudi District,
Crime No.97 of 2017

2.Suriyan : Respondents in both petitions

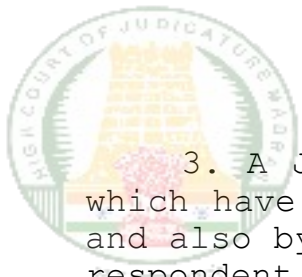
COMMON PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the JC No.266 of 2017 on the file of the Juvenile Justice Board, Thoothukudi and PRC No.18 of 2017 on the file of the learned Judicial Magistrate No.I, Kovilpatti in Crime No.67 of 2017 and quash the same as illegal.

For Petitioners : Mr.M.Prabhu
For R-1 : Mr.V.Neelakandan,
Additional Public Prosecutor.
For R-2 : Mr.M.Iniyavan
(in both petitions)

COMMON ORDER

The Criminal Original Petitions have been filed to quash the impugned charge sheet in JC No.266 of 2017 on the file of the Juvenile Justice Board, Thoothukudi and PRC No.18 of 2017 on the file of the learned Judicial Magistrate No.I, Kovilpatti, for the alleged offences under Sections 147, 148, 341, 324, 294(b), 506(ii) IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992. The offences are 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 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 Ms.Sankareswari, Kalugumalai Police Station, Contact No.94981 95095. 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 Gujrat** [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the impugned charge sheet in JC No.266 of 2017 on the file of the Juvenile Justice Board, Thoothukudi and PRC No.18 of 2017 on the file of the learned Judicial Magistrate No.I, Kovilpatti.

5. These Criminal Original Petitions stand allowed and as a sequel, the impugned charge sheet in JC No.266 of 2017 on the file of the Juvenile Justice Board, Thoothukudi and PRC No.18 of 2017 on the file of the learned Judicial Magistrate No.I, Kovilpatti, 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.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/-

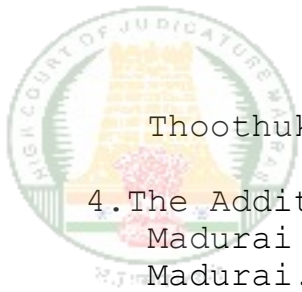
Assistant Registrar (Crl Side)

// True Copy //

Sub Assistant Registrar(CS)

Enclosure: Xerox Copy of Joint Compromise Memo
To

- 1.The Juvenile Justice Board,
Thoothukudi
- 2.The Judicial Magistrate No.I,
Kovilpatti
- 3.The Inspector of Police,
Kalugumalai Police Station,



Thoothukudi District

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

5.The District Siddha Medical Officer,
CCRI, Periyakulam

Copy To:

The Section Officer,
Criminal Section
Madurai Bench of Madras High Court,
Madurai.
+1cc to Mr.M.Prabhu,Advocate, SR.No.57426

Cr1.O.P.[MD]Nos.747 and 748 of 2019
28.03.2019

SP/02.05.2019/ 3P/8C