



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.7861 of 2019

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1. Pravin @ Pervin
2. Marimuthu

... Petitioners/Accused Nos. 1 &2

Vs.

1. The State of Tamil Nadu
rep.by the Assistant Superintendent of Police
Nanguneri Division
Tirunelveli District

... Respondent/Complainant

2. Stephen

... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the case in C.C. No.289 of 2017 on the file of the Judicial Magistrate, Valliyoor and quash the same.

For Petitioners	: Mr.V.Sukumar
For R-1	: Mr.K.Suyambulinga Bharathi
	Government Advocate (Crl. side)
For R-2	: Mr.Syed Ali

ORDER

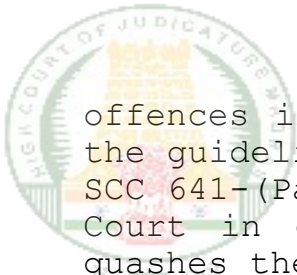
The Criminal Original Petition has been filed to quash the proceedings in C.C. No.289 of 2017 on the file of the Judicial Magistrate, Valliyoor, for an alleged offences under Sections 341,342,294(b), 324 and 506(ii) of IPC.

2.The case is under 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 Mr.Mariyappan, SI of Police. 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 First Information Report pending, even though, the

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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 proceedings in C.C.No.289 of 2017

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5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No.289 of 2017 on the file of the Judicial Magistrate, Valliyoor , is quashed and the terms of affidavit of the defacto complainant which shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5000/- (Rupees Five Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), 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-II)

// True Copy //

Sub Assistant Registrar(CS)

Encl.:Xerox Copy of Joint Compromise Memo

To

1. The Judicial Magistrate, Valliyoor
 2. The Assistant Superintendent of Police
Nanguneri Division
Tirunelveli District
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai
 4. The Section Officer,
Bills/Accounts Section,
Madurai Bench of Madras High Court,
Madurai
 5. The Section Officer,
Criminal Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai
- +1 CC to MR.V.SUKUMAR, Advocate (SR-87288[F] dated 18/09/2019)

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