



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.6155 of 2019

1.Duraimurugan
2.Gnanasekaran
3.D.Gunasekaran

... Petitioners/A1 to A3

- Vs. -

1.The State rep. by
The Inspector of Police,
All Women Police Station,
Samayanallur
Madurai crime No.39/2015

2.Roopa Priya

... Respondents

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.773 of 2017 on the file of the Judicial Magistrate, Vadipatti, Madurai District and quash the same.

For Petitioners : Mr.S.Jeyakumar

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

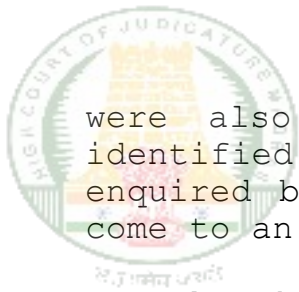
For R-2 : Mr.R.Rajeswaran

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.773 of 2017 on the file of the Judicial Magistrate, Vadipatti, Madurai District.

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.An Affidavit has been filed before this Court, which has 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.Meharaj, Sub Inspector 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 criminal proceedings pending before the Judicial Magistrate, Vadipatti. 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 **(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 criminal proceedings in C.C.No.773 of 2017 on the file of the Judicial Magistrate, Vadipatti, Madurai District as against the petitioners.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.773 of 2017 on the file of the Judicial Magistrate, Vadipatti, Madurai District is quashed and the terms of Affidavit shall form part and parcel of this order. The petitioners shall jointly 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 Madurai Bench of Madras 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-III)

/TRUE COPY/

Sub Assistant Registrar

Enclosure: Xerox copy of the Affidavit.

Arul
To

- 1.The Inspector of Police,
All Women Police Station,
Samayanallur.
- 2.The Judicial Magistrate,
Vadipatti.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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