



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.6189 of 2019

WEB COPY

Aravinthkumar @ Vellaiyan

:Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
Chinnamanur Police Station,
Theni District.
In Crime No.697 of 2017.

: 1st Respondent/Complainant

2.Ramesh

:2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in C.C.No.72 of 2018 in Crime No.697 of 2017, on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District and quash the same.

For Petitioner : Mr.S.Muniyandi

For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

For R2 : Mr.M.Muthukumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.72 of 2018, on the file of the learned Judicial Magistrate, Uthamapalayam, Theni 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.A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.Murugan, SSI 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 proceeding pending before the trial Court. 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceeding in C.C.No.72 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 proceedings in C.C.No.72 of 2018, on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District, is quashed and the terms of affidavit of the defacto complainant which shall form part and parcel of this order. The petitioner 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 ()

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate, Uthamapalayam,
Theni District.
2. The Inspector of Police,
Chinnamanur Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to: The Section Officer, Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

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CS (03.10.2019) 2P 5C