



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD) .No.12383 of 2019

WEB COPY

Hakkim Dheen

... Petitioner

Vs.

1.State rep. by

The Sub Inspector of Police,
Jaihindpuram Police Station
Madurai City
Madurai District
(Crime No.255/17)

2.Devi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the Charge sheet laid in C.C. No. 120 of 2017 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai and quash the same.

For Petitioner : Mr.K.Gokul

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

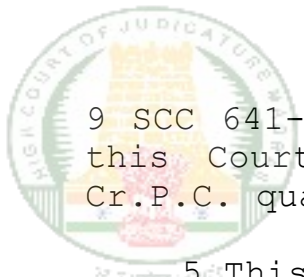
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C. No. 120 of 2017 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai for an alleged offences under Sections 294(b), 506(ii) of IPC and Section 4 of TNPHW Act

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 has 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.Karuppaiah, 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 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.120 of 2017

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No. 120 of 2017 on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai , is quashed and the terms of joint compromise memo 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 (AS)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of Joint Compromise memo

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To

1. The Judicial Magistrate, Additional Mahila Court, Madurai
2. The Sub Inspector of Police,
Jaihindpuram Police Station
Madurai City
Madurai 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.

+1 CC to M/s.K.GOKUL, Advocate (SR-86634[F] dated 13/09/2019)

Crl.O.P.(MD).No.12383 of 2019

13.09.2019