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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2019

CORAM:

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

Cr1.O.P. (MD) .No.14369 of 2019

and

Cr1.M.P. (MD) Nos.8673 & 8674 of 2019

1. Vimalkumar
2. Babu
3. Kala
4. Thangavelu
5. Lakshmi ... petitioners/Accused Nos.1 to 5

Vs.

- 1.State represent through
The Inspector of Police
All Women Police Station
Tirunelveli Town,
Tirunelveli
(In Crime No.2 of 2015) ... Respondent No.1/ Complainant
- 2.Manjusha ... Respondent No.2/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the impugned pending case in C.C.No.316 of 2018 on the file of the Learned Judicial Magistrate Court IV, Tirunelveli and quash the same as illegal.

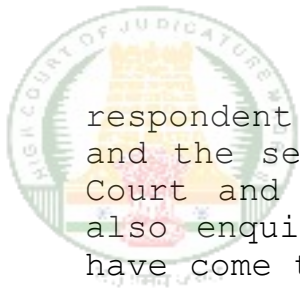
For petitioners : Mr.R.Karunanidhi
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1. side)
For R-2 : Mr.R.Senthilkumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.316 of 2018 on the file of the Learned Judicial Magistrate Court IV, Tirunelveli.

2. The case is still at 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 Mr.Inpa, Grade-I354. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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4. Under such circumstances, no useful purpose will be served in keeping the proceedings 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 proceedings in C.C.No.316 of 2018 on the file of the Learned Judicial Magistrate Court IV, Tirunelveli .

5.It is represented by the learned counsel for the petitioners that the petitioners already paid 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), and also filed the original receipt along with the memo on 27.11.2019. The said submission is placed on record. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.316 of 2018 on the file of the Learned Judicial Magistrate Court IV, Tirunelveli, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected Miscellaneous Petitions closed.

Sd/-

Assistant Registrar(CS-I)

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Sub Assistant Registrar(CS)

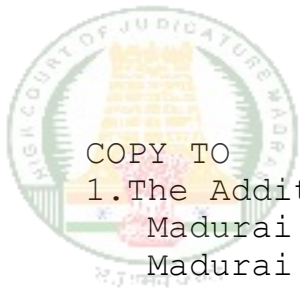
Ls

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. The Judicial Magistrate Court IV,
Tirunelveli.

2.The Inspector of Police
All Women Police Station
Tirunelveli Town,
Tirunelveli.



COPY TO

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

2. The Section Officer,Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.R.KARUNANITHI, Advocate Sr. No. 101860

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SRK(CO)
TR(28.11.2019) 3P 6C