



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2019

CORAM:

WEB COPY

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

Crl.O.P. (MD).No.13243 of 2019

Ganesh Prabhu

... Petitioners

Vs.

1.The Assistant Commissioner of Police,
Law and Order, Madurai City,
Madurai.

2.The Inspector of Police,
Tallakulam Police Station
Madurai City (Cr.No.167/2018)

3. Nagarajan,

.. Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to Call for the entire records in relating to the impugned proceedings of the charge sheet in Spl.S.C.No.91 of 2018 on the file of the Learned III Additional District and Sessions Court (PCR), Madurai and to quash the same.

For Petitioner : Mr.N.Sathiyendran

For R1 and R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

For R3 : Mr.C.Manikandan

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in in Spl.S.C.No.91 of 2018 on the file of the III Additional District and Sessions Court (PCR), Madurai.

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 third respondent and also by their respective counsel. The petitioner and the third



respondent were also present in person before this Court and they were identified by Mr.Kannan, Special 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 proceedings is pending before the III Additional District and Sessions Court (PCR), Madurai. 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 proceedings in Spl.S.C.No.91 of 2018 on the file of the III Additional District and Sessions Court (PCR), Madurai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.91 of 2018 on the file of the III Additional District and Sessions Court (PCR), 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 (C.O)

// True Copy //

Sub Assistant Registrar(CS)

Ls

Enclose: Xerox Copy of Joint Compromise Memo.

To

- 1.The III Additional District and Sessions Court(PCR),
Madurai.
- 2.The Assistant Commissioner of Police,
Law and Order,
Madurai City,
Madurai.
- 3.The Inspector of Police,
Tallakulam Police Station,
Madurai City.



4.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.M.S.JEYAKARTHIK, Advocate SR-88617.

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