



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.13826 of 2019

WEB COPY

1.Kabilan
2.Ajith
3.Sakthikumar

... Petitioner/Accused 1 to 3

- Vs. -

1. State rep. by the
The Inspector of Police,
Paramakkudi Town Police Station,
Ramanathapuram District,
Crime No.49 of 2018

2. Sakthimurugan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the impugned charge sheet in Spl.S.C.No.7 of 2019 on the file of the Principal Sessions Court, Ramanathapuram and quash the same.

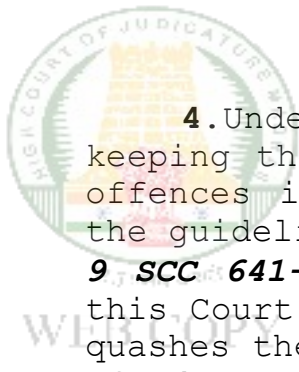
For Petitioner : Mr.D.Anbarasu
For R-1 : Mr.K.Suyambulinga Bharathi,
G.A., (Crl. Side)
For R-2 : Mr.M.Suresh

ORDER

The Criminal Original Petition has been filed to quash the case in Spl.S.C.No.7 of 2019 on the file of the Principal Sessions Court, Ramanathapuram as against the petitioners.

2.The case is pending for trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.A Joint Compromise Memo has been filed before this Court, which has been signed by the petitioners and the second respondent/defacto complainant and also by their respective counsel. The petitioners and the 2nd respondent were also present in person before this Court and their identity is also verified through Mr.Nagasamy, 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 case 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the criminal proceedings in Spl.S.C.No.7 of 2019 on the file of the Principal Sessions Court, Ramanathapuram as against the petitioners.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.7 of 2019 on the file of the Principal Sessions Court, Ramanathapuram is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioners jointly 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 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 (CO)

// True Copy //

Sub Assistant Registrar(CS)

Encl.: Xerox Copy of Joint Compromise Memo

To

- 1.The Inspector of Police,
Paramakkudi Town Police Station,
Ramanathapuram District.
- 2.The Principal Sessions Court,
Ramanathapuram
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

1. The Section Officer,
Criminal Secion(2 Copies)
Madurai Bench of Madras High Court,
Madurai



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

WEB COPY

Crl.O.P. (MD) .No.13826 of 2019
30.10.2019

arul
MK (13.11.2019) 3P 7C