



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD).No.13120 of 2019

WEB COPY

1.John Peter
2.Felix
3.Ilango
4.Rama Pandiyan

... Petitioners/Accused No.1 to 4

Vs.

1.State represented through
The Sub-Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
(Crime No.147 of 2006)

... Respondent No.1/Complainant

2.Maruthupandi

... Respondent No.2/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the Records relating to the Charge sheet made in C.C.No.241 of 2018 on the file of the Judicial Magistrate/Additional Mahila Court, Tirunelveli.

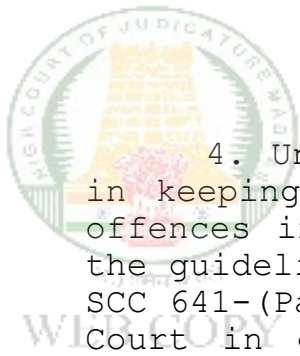
For Petitioners	: Mr.P.R.Prithviraj
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl. side)
For R-2	: Mr.C.Velston

ORDER

The Criminal Original Petition has been filed to quash the Charge sheet in C.C.No.241 of 2018 on the file of Judicial Magistrate/Additional Mahila Court, Tirunelveli, for an alleged offences under Sections 309 of IPC, later altered into Sections 294 (b), 323, 506(ii) of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002.

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 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.Rengasamy, 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.241 of 2018.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.241 of 2018 on the file of the Judicial Magistrate/Additional Mahila Court, Tirunelveli, is quashed and the terms of affidavit of the defacto complainant which shall form part and parcel of this order. The petitioners shall pay a sum of Rs.2000/- (Rupees Two 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 (writs)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Sub-Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
- 2.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.

Crl.O.P. (MD) .No.13120 of 2019
20.09.2019

tm

MK (09.10.2019) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>