



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2019

CORAM

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

CRL.O.P. (MD) .No.12782 of 2019

Satheesh @ Satheeshkumar

... Petitioner/Sole Accused

Vs.

1.State rep.by

The Inspector of Police,
Sivagangai Town Police Station,
In Crime No.357 of 2015,
Sivagangai District.

...1st Respondent/Complainant

2.Balamurugan

...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in C.C.No.210 of 2019 pending on the file of the learned Judicial Magistrate No.I, Sivagangai and quash the same.

For Petitioner : Mr.R.Srinivasan

For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

For R2 : Mr.T.Amjadkhan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.210 of 2019, on the file of the learned Judicial Magistrate No.I, Sivagangai, charged under Sections 294 (b), 332, 324 and 506(ii) IPC.

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 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.Thangarajan, SSI 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 proceeding 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 Gujraht)**, this Court in exercise of its jurisdiction

under Section 482 Cr.P.C. quashes the proceeding in C.C.No.210 of



2019 pending on the file of the learned Judicial Magistrate No.I, Sivagangai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.210 of 2019, on the file of the learned Judicial Magistrate No.I, Sivagangai, is quashed and the terms of affidavit of the defacto complainant which 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 (co)

// True Copy //

Sub Assistant Registrar (CS)

das

Encl:Xerox copy of Joint Compromise Memo

To

1.The Judicial Magistrate No.I, Sivagangai.

2.Do Thro'

The Chief Judicial Magistrate, Sivagangai

3.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

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.R.SRINIVASAN, Advocate (SR-87327[F] dated 18/09/2019)

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