



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2019

CORAM:

WEB COPY

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

Crl.O.P. (MD).No.13094 of 2019

- 1.Murugesan
- 2.Ravi
- 3.Udhaya Suriyan
- 4.Seetharaman
- 5.Praveen Kumar
- 6.Kannan @ Minnal Kannan
- 7.Kannan
- 8.Rajini
- 9.Pitchipoo

.. Petitioners/Accused 1 to 9

Vs.

- 1.The State rep. by
The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
(Crime No.144/2011)

.. 1st Respondent/Complainant

- 2.Mahalakshmi

.. 2nd Respondent/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 in P.R.C.No.9 of 2019 on the file of Judicial Magistrate Court, Rajapalayam and quash the same as the matter is amicably settled between parties.

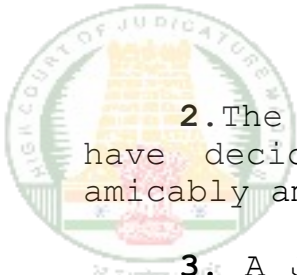
For Petitioners : Mr.E.Mareeskumar for
M/s.Ajmal Associates

For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)

For R-2 : Mr.V.Nirmalkumar

ORDER

The Criminal Original Petition has been filed to quash the Charge sheet in P.R.C.No.9 of 2019 on the file of Judicial Magistrate Court, Rajapalayam, for an alleged offences under Sections 147, 294(b), 506(ii) of IPC r/w Section 3(1) of TNPPDL Act.



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.Mooventhana, 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in P.R.C.No.9 of 2019.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.9 of 2019 on the file of the Judicial Magistrate, Rajapalayam, 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.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

Enclosure: Xerox Copy of Joint Memo

TM

To

1.The Judicial Magistrate, Rajapalayam.

2. The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.



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

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COPY TO:

- 1 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.V.NIRMAL KUMAR, Advocate (SR-88260 dated 20/09/2019)

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20.09.2019

CS(23.10.2019) 3P 7C