



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.09.2019
CORAM

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

CRL.O.P.(MD).No.12999 of 2019

J.Thameem @ Thameem Ansari ... Petitioner/Accused No.2

Vs.

1.State through the
Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
(Crime No.205 of 2016) ... 1st Respondent/Complainant

2.Maideen Fathima ... 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 proceedings in Charge sheet in C.C.No.11 of 2017 on the file of the learned Judicial Magistrate, Aruppukottai and quash the same as illegal.

For Petitioner : Mr.Om Prakash

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

For R2 : Mr.N.Kalimuthu

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.11 of 2017, on the file of the learned Judicial Magistrate, Aruppukottai.

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.Velmurugan, 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 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceeding in C.C.No.11 of 2017, on the file of the learned Judicial Magistrate, Aruppukottai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.11 of 2017, on the file of the learned Judicial Magistrate, Aruppukottai, is quashed and the terms of compromise memo, 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(CS-III)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate, Aruppukottai.
- 2.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
- 3.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.

+2 CC to M/s.V.OMPRAKASH, Advocate (SR-88142[F] dated 20/09/2019)

CRL.O.P. (MD) .No.12999 of 2019
18.09.2019

das

JM/04.10.2019/2P/7C