



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

WEB COPY

CORAM:

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

Crl.O.P. (MD) .No.17090 of 2019

1.Murugesh
2.Muthu Ganesh

... Petitioners

Vs.

1.State represented by
The Special Sub Inspector of Police,
Perumalpuram Police Station,
Tirunelveli, Tirunelveli District.
Crime No.54 of 2015.

2.The Assistant Commissioner of Police,
Law and Order, Palayamkottai Sub Division,
Tirunelveli, Tirunelveli District.

3.Anitha

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in S.C.No.65 of 2016 on the file of the II Additional District and Session Court, Tirunelveli District, in Crime No.54 of 2015 on the file of the first respondent, dated 20.02.2015 and quash the same as illegal.

For Petitioners : Mr.T.Lajapathi Roy
For R1 and R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. side)
For R3 : Mr.M.Arjun Varman

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.65 of 2016 on the file of the II Additional District and Session Court, Tirunelveli District.

2. The case is still at the stage of 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 third respondent and also by their respective counsel. The petitioners and the third



respondent were also present in person before this Court and they were identified by Mr.P.Selvam, SSI. 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 proceedings 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.C.No.65 of 2016 on the file of the II Additional District and Session Court, Tirunelveli District.

5.It is represented by the learned counsel for the petitioners that the petitioners already paid 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), on 29.11.2019 and filed the original receipt along with the memo. The said submission is placed on record. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.65 of 2016 on the file of the II Additional District and Session Court, Tirunelveli District, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

Encl: Xerox copy of Joint Compromise memo

Das

To

- 1.The II Additional District and Session Court,
Tirunelveli District.
 - 2.The Special Sub Inspector of Police,
Perumalpuram Police Station,
Tirunelvelli, Tirunelveli District.
Crime No.54 of 2015.
 - 3.The Assistant Commissioner of Police,
Law and Order, Palayamkottai Sub Division,
Tirunelveli, Tirunelveli District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +2 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-103057)

Crl.O.P.(MD).No.17090 of 2019
29.11.2019

SMA/16/12/19/2P/7C

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