



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.17091 of 2019

1.Muthupandi
2.Siva Shankara Subbaiya
3.Gnana Selvam

... Petitioners

Vs.

1.State represented by
The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District, Tirunelveli.
Crime No.55 of 2015.

2.Murugesh

... 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.201 of 2017, on the file of District and Session Court, Tirunelveli District, in Crime No.55 of 2015, on the file of the first respondent, dated 20.02.2015 and quash the same as illegal.

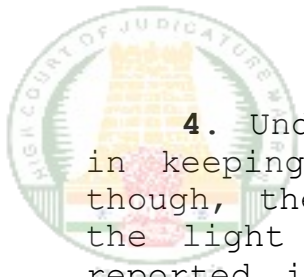
For Petitioners	: Mr.T.Lajapathi Roy
For R1	: Mr.K.Suyambulinga Bharathi
	Government Advocate (Crl. side)
For R2	: Mr.M.Arjun Varman

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.201 of 2017, on the file of the 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 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.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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.C.No.201 of 2017, on the file of the 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.201 of 2017 on the file of the 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

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To

- 1.The District and Session Court,
Tirunelveli District.
- 2.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District, Tirunelveli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SMA/16/12/19/2P/4C