



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.13281 of 2019

1. Eswaran
- 2.Mohan
- 3.Anbu @ Veerapathiran
- 4.Kadhar Navas
- 5.Manikandan
- 6.Tamilraj @ Rasu @ Manikandan

... Petitioners/Accused Nos.1 to 6

- Vs. -

- 1.The Inspector of Police
Avaniyapuram Police Station,
Madurai City
Cr No. 841/2013

... Respondent/Complainant

2. K.Mari
- ... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to Call for the records in connection with Charge Sheet in C.C.No.151 of 2014 on the file of the Judicial Magistrate No.VI, Madurai and to quash the same in respect of the petitioners.

For Petitioners : Mr.C.Mayilvahana Rajendran

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

For R-2 : Mr.Kulanthai Vikram

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.151 of 2014 on the file of the Judicial Magistrate No.VI, Madurai, having been taken cognizance for the offence under Sections 147, 294(b) and 506(i) of I.P.C.

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 has 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.Hari, Special Sub-Inspector 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 calender case 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the criminal proceedings in C.C.No.151 of 2014 on the file of the Judicial Magistrate No.VI, Madurai, as against the petitioners.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.151 of 2014 on the file of the Judicial Magistrate No.VI, Madurai, is quashed and the terms of Joint Compromise memo shall form part and parcel of this order. The petitioners shall jointly 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 Madurai Bench of Madras 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

/TRUE COPY/

Sub Assistant Registrar

Enclosure: Xerox Copy of Joint Compromise Memo.

Arul

To

1.The Judicial Magistrate No.VI,
Madurai.

2.The Inspector of Police
Avaniyapuram Police Station,
Madurai City.



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

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-89734[F] dated
26/09/2019)

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. (2 COPIES)

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JM/11.10.2019/3P/8C