



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.13365 of 2019

WEB COPY

Gnanamani

... Petitioner

Vs.

1. State rep. by
The Inspector of Police,
Perungudi Police Station
Madurai.
(Crime No.165 of 2010)

2. Eswaran

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the Charge sheet laid in C.C. No. 29 of 2011 dated 17/01/2011 on the file of the learned Judicial Magistrate No.VI, Madurai and quash the same.

For Petitioner : Mr.S.Mahendrapathy
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)
MR.M.Vasanthan for R2

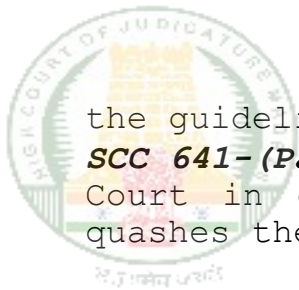
ORDER

The Criminal Original Petition has been filed to call for the records relating to the charge sheet in C.C. No.29 of 2011 dated 17.01.2011 on the file of the learned Judicial Magistrate No.VI, Madurai and quash the same as against the petitioner.

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 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.Eswaran, SSI 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.29 of 2011.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No. 29 of 2011 on the file of the learned Judicial Magistrate No.VI, Madurai, is quashed and the terms of joint compromise memo 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 (P&A)

// True Copy //

Sub Assistant Registrar(CS)

Encl.:Xerox copy of Joint Compromise Memo
To

- 1.The Inspector of Police,
Perungudi Police Station
Madurai.
2. The Judicial Magistrate VI,
Madurai
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

+1 CC to Mr.S. MAHENDRAPATHY, Advocate (SR-90180[F] dated 27/09/2019)

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25.09.2019

ksa
MK (21.10.2019) 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>