



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

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

WEB COPY

CRL.O.P.(MD).No.13041 of 2019

1.Antony Susairaj
2.Soosaiammal
3.Fathimarani ... Petitioners/Accused 1,3 & 4

Vs.

1.The State Represented by
The Inspector of Police,
District Crime Branch,
Tirunelveli District.
(Crime No.1 of 2009) ... 1st Respondent/Complainant

2.N.Dhanapal ... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the charge sheet in C.C.No.33 of 2013 on the file of the learned Judicial Magistrate No.I, Tirunelveli and quash the same as against the petitioner is concern.

For Petitioners	: Mr.C.Susikumar
For R1	: Mr.K.Suyambulinga Bharathi, Government Advocate (Criminal Side)
For R2	: Mr.K.Sathishkumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.33 of 2013 on the file of the learned Judicial Magistrate No.I, Tirunelveli.

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 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.A.Subbhaiah, S.I. 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceeding in C.C.No.33 of 2013 on the file of the learned Judicial Magistrate No.I, Tirunelveli.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.33 of 2013 on the file of the learned Judicial Magistrate No.I, Tirunelveli, is quashed in respect of the petitioners herein and the terms of compromise memo, which shall form part and parcel of this order. Each of the petitioners 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

/TRUE COPY/

Sub Assistant Registrar

Enclosure: Xerox copy of the Compromise Memo.

To

- 1.The Judicial Magistrate No.I,
Tirunelveli.
- 2.The Inspector of Police,
District Crime Branch,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-87687[F] dated 19/09/2019)

COPY TO:

THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

CRL.O.P. (MD) .No.13041 of 2019
18.09.2019

DAS

JM/09.10.2019/2P/6C

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