



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2019

CORAM:

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

Crl.O.P.(MD).No.13076 of 2019

WEB COPY

1. Kannan
2. Thangakumar
3. Mathikumar
4.Thanga Thiruppathi ... Petitioners/A1 to A4
Vs.

1.State rep. by
The Sub Inspector of Police,
Vilathikulam Police Station
Thoothukudi District

2.Palraj ... Respondent/Defacto Complainant

3.Manikandan ... Respondents/LW2

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in C.C. No. 35 of 2019 pending on the file of the learned District Munsif cum Judicial Magistrate,Vilathikulam, Thoothukudi District and quash the same as against the petitioners concerned.

For Petitioners : Mr.R.Anand

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

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C. No. 35 of 2019 pending on the file of the learned District Munsif cum Judicial Magistrate,Vilathikulam, Thoothukudi District, for an alleged offences under Sections 294(b),323,324 and 506(ii) of IPC.

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 and third respondents and also by their respective counsel. The petitioners and the second and third respondents were also present in person before this Court and they were identified by Mr.S.Sankaralingam, 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.35 of 2019

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No. 35 of 2019 pending on the file of the learned District Munsif cum Judicial Magistrate,Vilathikulam, Thoothukudi District , is quashed and the terms of joint compromise memo shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.2000/- (Rupees Two 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(CS)

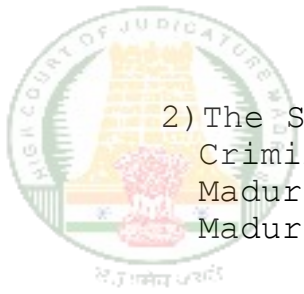
Encl:Xerox Copy of Joint Compromise Memo.

aav

To

1. The District Munsif cum Judicial Magistrate,Vilathikulam, Thoothukudi District
2. The Sub Inspector of Police, Vilathikulam Police Station Thoothukudi District
- 3.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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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