



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2019

CORAM

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

CRL.O.P. (MD) .No.13311 of 2019

WEB COPY

Ilanseliyan

... Petitioner/Accused No.1

Vs.

1.The State represented by
The Inspector of Police,
All Women Police Station,
Tirunelveli.
In Crime No.12 of 2016.

2.Philomina Nachathram

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the case in C.C.No.118 of 2017 pending on the file of the Additional Mahila Court, Tirunelveli and quash the proceedings by allowing this Criminal Original Petition.

For Petitioner : Mr.P.Samuel Gunasingh
For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)
For R2 : Mr.R.Niresh Kumar

ORDER

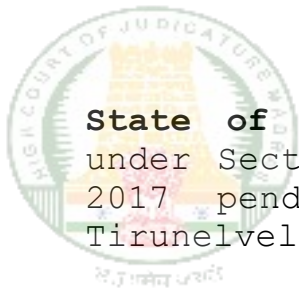
The Criminal Original Petition has been filed to quash the proceedings in C.C.No.118 of 2017 pending on the file of the Additional Mahila Court, Tirunelveli.

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 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 Ms.Dhanalakshmi, SI 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 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

<https://hccse.cse.gov.in/cse2017> 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 proceeding in C.C.No.118 of 2017 pending on the file of the Additional Mahila Court, Tirunelveli.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.118 of 2017 pending on the file of the Additional Mahila Court, Tirunelveli, is quashed and the terms of compromise memo which 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 (co)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of Joint compromise memo

das

To

1.The Additional Mahila Judge,
Tirunelveli.

2.The Inspector of Police,
All Women Police Station,
Tirunelveli.

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 M/s.P. SAMVEL GUNASINGH, Advocate (SR-91000[F] dated 03/10/2019)

CRL.O.P. (MD) .No.13311 of 2019
03.10.2019

KM/(18.10.2019) 2P 6C