



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2019

CORAM

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

CRL.O.P.(MD).No.13778 of 2019

Santhosh

... Petitioner/Sole Accused

Vs.

1.State rep by

The Inspector of Police,  
All Women Police Station,  
Nagercoil,  
Kanyakumari District.  
In Crime No.2 of 2019.

... Respondent No.1/Complainant

2.V.Anuja

... Respondent No.2/Defacto  
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Spl.S.C.No.38 of 2019 on the file of the learned Sessions Mahila Court, Nagercoil, Kanyakumari District and quash the same as arbitrary and illegal by allowing this Criminal Original Petition.

For Petitioner : Mr.K.Renganathan  
For R1 : Mr.K.Suyambulinga Bharathi,  
Government Advocate (Criminal Side)  
For R2 :Mr.T.Amjadkhan

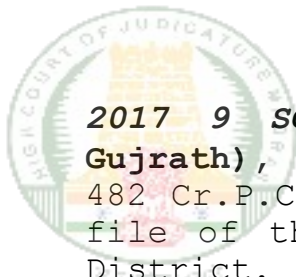
**ORDER**

The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.38 of 2019 on the file of the learned Sessions Mahila Court, Nagercoil, Kanyakumari District.

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 Mr.Santhakumar, 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 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceeding in Spl.S.C.No.38 of 2019 on the file of the learned Sessions Mahila Court, Nagercoil, Kanyakumari District.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.38 of 2019 on the file of the learned Sessions Mahila Court, Nagercoil, Kanyakumari District, is quashed and the terms of Joint 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 ()

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox Copy of Joint Compromise Memo.

dss

To

1.The Judge,  
Sessions Mahila Court, Nagercoil,  
Kanyakumari District.

2.The Inspector of Police,  
All Women Police Station,  
Nagercoil,  
Kanyakumari District..

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.K. RANGANATHAN, Advocate ( SR-90493[F] dated 30/09/2019

CRL.O.P. (MD) .No.13778 of 2019  
30.09.2019

KK/SAR/21.10.2019/2P-6C/

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