



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2019

CORAM:

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

Crl.O.P.(MD).No.14055 of 2019

1. C.Celin

2. C.Arun

... Petitioners/Accused

Vs.

1.The State of Tamil Nadu

Rep. by the Inspector of Police

Kanyakumari Police Station

Kanyakumari District

... 1st Respondent/Complainant

2.Thanganadar

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in connection with C.C.No.21 of 2016 on the file of the Judicial Magistrate No.I, Nagercoil, Kanyakumari District and quash the same.

For Petitioners : Mr.K.Ragatheesh Kumar

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

For R-2 : Mr. Ruban Babu

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.21 of 2016 on the file of the Judicial Magistrate No.I, Nagercoil, Kanyakumari District, for an alleged offences under Sections 147,148,447,427,294(b) 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 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.Vetha Arul Jose, 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.21 of 2016.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.21 of 2016 on the file of the Judicial Magistrate No.I, Nagercoil, Kanyakumari District , is quashed and the terms of joint compromise memo shall form part and parcel of this order. 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(CS-II)

/TRUE COPY/

Sub Assistant Registrar

Enclosure: Xerox copy of Joint Compromise Memo.

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To

1. The Judicial Magistrate No.I, Nagercoil, Kanyakumari District
2. The Inspector of Police
Kanyakumari Police Station
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.

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



+1 CC to M/s.K. RAGATHEESH KUMAR, Advocate (SR-90973[F] dated 03/10/2019)

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JM/16.10.2019/3P/6C