



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:15.11.2019

CORAM

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD)No.16773 of 2019

1 Parthiban

2 Vijayan

3 Prabhu

... PETITIONERS / A1 TO A3

Vs

1 THE State, rep by: Inspector of Police

Othakkadai Police Station, Madurai

(CRIME NO. 459 OF 2017)

..1st Respondent/ Complainant

2 Veeramuthu

..2nd Respondent/Defacto Complainant

PRAYER: Criminal Original petition filed under section 482 of Cr.P.C., praying to quash the criminal proceedings in Spl.S.C.No.142 of 2018 on the file of the learned III Additional District and Sessions Court (PCR Cases), Madurai.

For Petitioner : Mr. K.Anbarasan

For Respondents : Mr.K.Suyambuling Bharathi,
G.A.(Crl Side) for R1.

For Respondent NO.2 : MR. D. Ramesh Kumar,

ORDER

This petition is filed for a direction to quash the criminal proceedings in Spl.S.C.No.142 OF 2018 on the file of the Learned III Additional District and Sessions Court (PCR Cases), Madurai.



2. This Case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

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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.S.Singaraj, 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 case 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 of Cr.P.C, quashes the proceedings in Spl.S.C.No.142 of 2018.

5. This Criminal Original Petition stands allowed and as a Sequel, the proceedings in Spl.S.C.No.142 of 2018 on the file of the III Additional District and Sessions Court (PCR Cases),Madurai, 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



reporting compliance before the Registry/1st Respondent and the trial Court on or before 22.11.2019, failing which, this order automatically stands cancelled without further reference to this Court and the trial court can proceed with the trial in Spl.S.C.No.142 of 2018.

(HERE

COMPROMISE MEMO FILED - ANNEXED VIDE SEPERATE SHEET (XEROX COPY)

SD

ASSISTANT REGISTRAR (CS III)

TRUE COPY

SUB ASSISTANT REGISTRAR (CS IV)

TO:

1.The III Additional District and Sessions Court
(PCR Cases), Madurai.

2.The Inspector of Police,
Othakkadai Police Station, Madurai Distirct.

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.

1CC TO MR.K. ANBARASAN,ADVOCATE SR 98527

JMN

21/11/2019 - 3P 6C

ORDER MADE IN

CRL OP(MD) No.16773 of 2019
15/11/2019