



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

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

Crl.O.P. (MD)No.9246 of 2018

and

Crl.M.P. (MD)Nos.4029 & 4030 of 2018

WEB COPY

1.Vijayaveeran

2.Velladurai

...Petitioners/Accused Nos.2 & 3

-Vs-

1.The State Rep by its

The Sub-Inspector of Police,

Ettayapuram Police Station,

Tuticorin District.

(Crime No.407 of 2017)

... 1stRespondent/Complainant

2.Buveneswari

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records relating to the impugned charge sheet in S.T.C.No.499 of 2018 on the file of the Judicial Magistrate No.II, Kovilpatti and quash the same as against the petitioners as illegal.

For Petitioners

: Mr.C.Mayilvahana Rajendran

For R1

: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.Side)

For R2

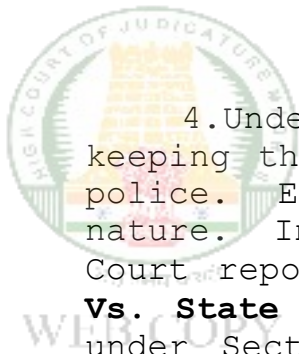
: Mr.M.Vijayan

O R D E R

This Criminal Original Petition has been filed to quash the impugned charge sheet in S.T.C.No.499 of 2018 on the file of the learned Judicial Magistrate No.II, Kovilpatti.

2.The case is still at the stage of 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.Ashokan, Sub 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 First Information Report pending before the respondent police. 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 Cr.P.C. quashes the impugned charge sheet in S.T.C.No.499 of 2018 on the file of the learned Judicial Magistrate No.II, Kovilpatti.

5. It is represented by the learned counsel for the petitioners that the petitioners paid 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) and filed the original cash receipt along with this memo on 29.11.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the impugned charge sheet in S.T.C.No.499 of 2018 on the file of the learned Judicial Magistrate No.II, Kovilpatti, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

dss

ENCL: Xerox copy of Compromise Memo enclosed

To

1. The Judicial Magistrate No.II, Kovilpatti.

2. The Sub-Inspector of Police,
Ettayapuram Police Station, Tuticorin District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C. MAYIL VAHANA RAJENDRAN, Advocate (SR-102688[F]
Crl.O.P. (MD)No.9246 of 2018
and
Crl.M.P. (MD)Nos.4029 & 4030 of 2018
29.11.2019

SMA/19/12/19/2P/5c

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