



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2019

CORAM:

WEB COPY

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

Crl.O.P. (MD) No.14416 of 2019

1.S.Shanmugavadivu
2.S.Muthamizhselvan
3.Thamizhselvi

... Petitioners/Accused 1, 2 & 4

Vs.

1.The State represented by
The Inspector of Police,
All Women Police Station,
Karaikudi.
(Crime No.2/2014)

... Respondent/Complainant

2.Kavitha

... Respondents/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records pertaining to the impugned charge sheet in C.C.No.194/2014 on the file of learned Judicial Magistrate, Karaikudi arising from FIR in Crime No.2/2014 on the file of the first respondent and quash the same as against the petitioners.

For Petitioners : Mr.R.Narayanan

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

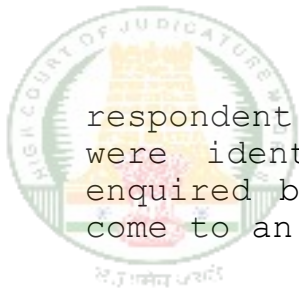
For R2 : Mr.P.R.Boomee Rajan

ORDER

This petition has been filed to quash the proceedings in C.C.No.194/2014 on the file of learned Judicial Magistrate, Karaikudi.

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 Mrs.Saroja, Head Constable. 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 is 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.194/2014 on the file of learned Judicial Magistrate, Karaikudi.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in proceedings in C.C.No.194/2014 on the file of learned Judicial Magistrate, Karaikudi, is quashed and the terms of joint compromise memo, which 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 before the Registry, first respondent and the trial Court on or before 10.12.2019, failing which, this order automatically stands cancelled without further reference to this Court and the trial Court can proceed with the trial in C.C.No.194/2014.**

Sd/-

Assistant Registrar (AD-II)

**(*)Amended as per order of this
Hon'ble Court dated 29.11.2019**

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

dss

Encl : Xerox copy of the Joint Compromise Memo



To

(*) to be substituted the order already despatched on 18/11/2019

1.The Judicial Magistrate,
Karaikudi.

2. The Chief Judicial Magistrate, Sivagangai.

3.The Inspector of Police,
All Women Police Station,
Karaikudi.

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

Copy to:

1. The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

2. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.R.NARAYANAN, Advocate Sr. No. 103134

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JMN(15.11.2019) 3P : 6C
TR (09.12.2019) 3P 8C