



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM:

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

Crl.O.P.(MD).No.17841 of 2019

1.N.Karthick

2.P.Nagarathinam

... Petitioners / Accused No.1 & 2

Vs.

1.State rep. by

The Inspector of Police,

Nagamalai Pudukottai Police Station

Madurai District

... 1st Respondent / Complainant

2.M.Stalin

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in S.T.C.No.956 of 2017 on the file of the learned Judicial Magistrate No.VI, Madurai in FIR in Crime No.81 of 2017 dated 29.01.2017 for the offences u/s.294(b), 323 and 324 of IPC registered by the first respondent and quash the same as illegal.

For Petitioners : Mr.T.Thirumurugan

For R-1

: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl. Side)

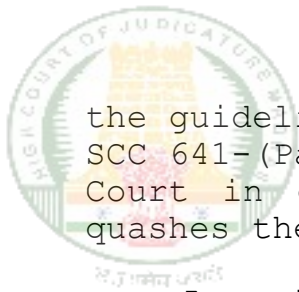
ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.T.C.No.956 of 2017 on the file of the learned Judicial Magistrate No.VI, Madurai for an alleged offences under Sections 294(b), 323 and 324 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 has been signed by the petitioners and the brother of the second respondent and also by their respective counsel. The petitioners and the brother of the second respondent were also present in person before this Court and they were identified by 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.T.C.No.956 of 2017.

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) on 28.11.2019 and filed the original receipt along with the memo. The said submission is placed on record.

6. Hence, this Criminal Original Petition stands allowed and as a sequel, the proceedings in S.T.C.No.956 of 2017 on the file of the learned Judicial Magistrate No.VI, Madurai is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

(Enclose Xerox copy of Joint Compromise Memo)

1. The Judicial Magistrate No.VI, Madurai
2. The Inspector of Police,
Nagamalai Pudukottai Police Station, Madurai District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T. THIRUMURUGAN, Advocate (SR-102210[F] 28/11/2019)

Copy to:

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

Crl.O.P. (MD) .No.17841 of 2019
28.11.2019

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SDS (19.12.2019) 2P 5C