



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P. (MD) .No.14556 of 2019

Nagarajan

... Petitioner/Sole Accused

Vs.

1.State rep. by

The Sub Inspector of Police,

All Women Police Station,

Nagercoil, Kanyakumari District.

: Respondent/Complainant

2.R.Akash

: Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of Charge sheet laid in Spl.S.C.No.22 of 2019 on the file of the learned Principal District Court, Kanyakumari at Nagercoil and quash the same.

For Petitioner

: Mr.M.Maharaja

For R-1

: Mr.K.Suyambulinga Bharathi

Government Advocate (Cr1. side)

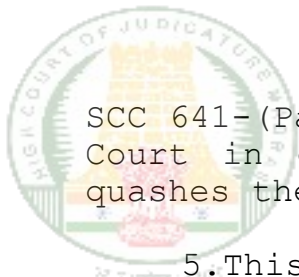
ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.22 of 2019 on the file of the learned Principal District Court, Kanyakumari at Nagercoil for an alleged offences under Sections 506(ii) of IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012.

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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.D.Santhakumari, 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, 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 proceedings in Spl.S.C.No.22 of 2019.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.22 of 2019 on the file of the learned Principal District Court, Kanyakumari at Nagercoil , is quashed and the terms of joint compromise memo shall form part and parcel of this order. The petitioner 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. Further the petitioner is also directed to pay a sum of Rs.10,000/- to the victim.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

aav

Enclose: Copy of Joint Compromise Memo.

To

1.The Principal District Judge, Kanyakumari at Nagercoil

2. The Sub Inspector of Police,
All Women Police Station
Nagercoil, 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.

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

+2 CC to M/s.M.MAHARAJA, Advocate SR-92884.

Crl.O.P. (MD) .No.14556 of 2019
18.10.2019

CS(01.11.2019) 2P 9C

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



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