



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).No.14805 of 2019

Sriram

... Petitioner/Accused No.4

Vs.

1.The Inspector of Police
Kanyakumari Police Station,
Kanyakumari District.

2. Magesh

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to quash P.R.C.No.19/2019 on the file of the Judicial Magistrate No.1, Nagercoil, Kanyakumari.

For Petitioner : Mr.KA.Raamakrishnan

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

For R2 : Ms.A.Banumathy

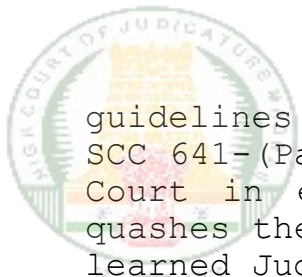
O R D E R

The Criminal Original Petition has been filed to quash the charge sheet in P.R.C.No.19 of 2019 on the file of the learned Judicial Magistrate No.1, Nagercoil, Kanyakumari.

2.The case is still at the stage of committal. 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 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 Ms.Chinnammal, WPC. 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 charge sheet is pending before the learned Judicial Magistrate No.1, Nagercoil, Kanyakumari. 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the charge sheet in P.R.C.No.19 of 2019, pending before the learned Judicial Magistrate No.1, Nagercoil, Kanyakumari.

WEB COPY

5.This Criminal Original Petition stands allowed and as a sequel, the charge sheet in P.R.C.No.19 of 2019, pending before the learned Judicial Magistrate No.1, Nagercoil, Kanyakumari, is quashed as against the petitioner alone is concerned and the terms of joint compromise memo which 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.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

Ls

To

- 1.The Judicial Magistrate No.1, Nagercoil, Kanyakumari.
2. The Chief Judicial Magistrate, Nagercoil at Kanyakumari District.
- 3.The Inspector of Police
Kanyakumari Police Station,
Kanyakumari District.
- 4.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.

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-92655[F] dated 17/10/2019)

CrI.O.P.(MD).No.14805 of 2019
17.10.2019

JMN(24.10.2019) 2P : 7C