



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD)No.15167 of 2019

1.Mahendra Babu
2.Periyasamy
3.Backiyam
4.Senthil Kumar
5.Selvi

... Petitioners

Vs.

1.The State Rep.by
The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai District.

2.Sivakami

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records pertaining to the case in C.C.No.10 of 2014 on the file of the learned Additional Mahila Court, Madurai and quash the same as against the petitioners.

For Petitioners : Mr.P.Gunasekaran

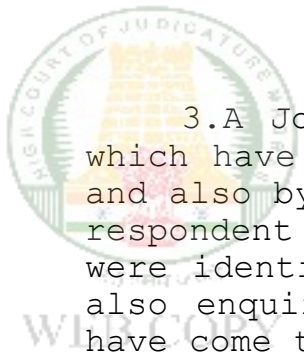
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

For R-2 : Mr.R.L.Dhilipan Pandian

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.10 of 2014 pending on the file of the learned Additional Mahila Court, Madurai and quash the same on the ground of compromise entered into between the petitioners and the second respondent.

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.Shantha, 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 proceedings pending before the concerned Court, 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 Gujarat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the proceedings in C.C.No.10 of 2014 pending on the file of the learned Additional Mahila Court, Madurai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.10 of 2014 pending on the file of the learned Additional Mahila Court, Madurai, is quashed and the terms of the joint compromise memo which shall form part and parcel of this order. The petitioners shall jointly pay a sum of Rs.5,000/- (Rupees One 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

// True Copy //

Sub Assistant Registrar(CS)

gns

Enclose: Xerox Copy of Joint Compromise Memo.

To

1.The Additional Mahila Court,
Madurai.

2.The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai 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)

+1 CC to M/s.R.ANAND, Advocate SR-93743.
+1 CC to M/s.P.GUNASEKARAN, Advocate SR-93892.

CrI.O.P. (MD) No.15167 of 2019
22.10.2019

CS(06.11.2019) 2P 9C