



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2019

CORAM:

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

Crl.O.P. (MD) .No.15371 of 2019

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1.H.Ansari

2.H.Mohamad

... Petitioners/Accused 1&2

Vs.

1.The State Rep. by,
The Sub-Inspector of Police,
Thondi Police Station,
Thondi,
Ramanathapuram District.
(In Crime No.37 of 2015)

...Respondent/Complainant

2.KKM.Ahamad Jalal

... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of the case in C.C.No.36 of 2018 pending on the file of the Judicial Magistrate, Thiruvadanai, Ramanathapuram District and quash the same.

For Petitioners	: Mr.S.Muthukumar
For R-1	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl. Side)
For R-2	: Mr.Mark J.Jackson

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.36 of 2018 pending on the file of the Judicial Magistrate, Thiruvadanai, Ramanathapuram District, for alleged offences under Sections 294(b), 352, 448 and 506(i) of IPC.

2.The case is still at the stage of investigation. 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 Mr.R.Raja, Special 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 C.C.No.36 of 2018 pending before the Judicial Magistrate, Thiruvadanai, Ramanathapuram District. 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 proceedings in C.C.No.36 of 2018 pending on the file of Judicial Magistrate, Thiruvadanai, Ramanathapuram District.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.36 of 2018, pending on the file of the Judicial Magistrate, Thiruvadanai, Ramanathapuram District, is quashed and the terms of joint compromise memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5,000/- (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 (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo

To

- 1.The Judicial Magistrate,
Thiruvadanai,
Ramanathapuram District
- 2.The Sub-Inspector of Police,
Thondi Police Station,
Thondi,
Ramanathapuram District.
- 3.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,-2 copies
Criminal Section
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.MUTHUKUMAR, Advocate (SR-94426[F] dated 24/10/2019
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