



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.O.P. (MD).No.15460 of 2019

WEB COPY

1. Arumugam
2.Kaalichamy

... Petitioners

Vs.

1.State rep. by
The Inspector of Police,
Town Police Station
Sankarankoil
Tirunelveli District

2.N.Selvam @ Sellathurai

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the CC No. 1090 of 2019 on the file of the learned Judicial Magistrate No.I, Tirunelveli and quash the same by allowing the criminal original petition in concerned with the accused 3 and 4.

For Petitioners : Mr.S.Sundarapandian

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

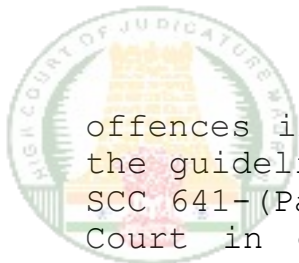
ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC No. 1090 of 2019 on the file of the learned Judicial Magistrate No.I, Tirunelveli , for an alleged offences under Sections 147,435 and 427 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 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.M.Murugan, SI 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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in CC No. 1090 of 2019

WEB COPY

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No. 1090 of 2019 on the file of the learned Judicial Magistrate No.I, Tirunelveli , 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.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 (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

aav

Encl: Xerox copy of Joint Compromise Memo.

To

1. The Judicial Magistrate No.I, Tirunelveli

2. The Inspector of Police,
Town Police Station
Sankarankoil
Tirunelveli District.

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

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.S.SUNDARAPANDIAN, Advocate (SR-94189[F] dated 24/10/2019)

Cr1.O.P. (MD) .No.15460 of 2019
24.10.2019