



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD).No.15675 of 2019

WEB COPY

1. Udhayakumar
2. Rajesh
name Wrongly Mentioned
in the FIR and Charge Sheet as Raja
3. Karthick Kumar
name Wrongly Mentioned
in the FIR and Charge Sheet as Kumar

... Petitioners/Accused No.1 to3

Vs.

- 1.The Inspector of Police
South Police Station,
Cumbum, Theni District.
Cr.No. 53/2014

... 1st Respondent/Complainant

- 2.Aravindhan

... 2nd Respondent/Defacto
Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to Call for the records relating to the case in S.C.No. 65 of 2016 on the file of the Assistant Sessions Judge Uthamapalayam and quash the same as against the Petitioners /accused.

For Petitioners : Mr.D.Venkateswaran
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)
For R2 : Mr.S.Sivabalan

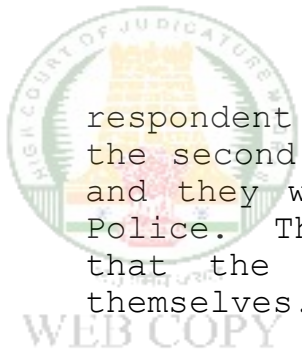
ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No. 65 of 2016 on the file of the Assistant Sessions Judge Uthamapalayam.

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

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



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.Prasad, 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 proceedings is pending before the Assistant Sessions Judge Uthamapalayam. 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in S.C.No.65 of 2016, on the file of the Assistant Sessions Judge Uthamapalayam.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No. 65 of 2016, on the file of the Assistant Sessions Judge Uthamapalayam, is quashed and the terms of Joint Compromise memo shall form part and parcel of this order. The petitioners shall jointly 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/-

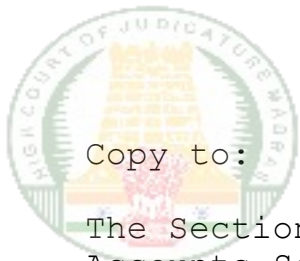
Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

Encl.: Xerox Copy of Joint Compromise Memo
To

- 1.The Assistant Sessions Judge,
Uthamapalayam.
- 2.The Inspector of Police
South Police Station,
Cumbum,
Theni 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

+1 CC to Mr.R.VENKATESWARAN, Advocate (SR-94708[F] dated
25/10/2019)

Crl.O.P. (MD) .No.15675 of 2019
25.10.2019
($\frac{1}{2}$)

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