



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2019

CORAM:

WEB COPY

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

Crl.O.P. (MD) .No.15896 of 2019

and

Crl.M.P(MD) Nos.9443 and 9444 of 2019

Baskaran @ Balaji ...Petitioner/Accused No.5

Vs.

1.State rep. by
The Sub Inspector of Police,
Palayamkottai Police Station
Tirunelveli District. ... 1st Respondent/Complainant

2.Rajamani ... 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the Charge sheet laid in C.C.No.256 of 2019 on the file of the learned Judicial Magistrate No.I, Tirunelveli and quash the same.

For Petitioner : Mr.C.Susikumar

For R-1 : Mr.R.Anandharaj,
Additional Public Prosecutor

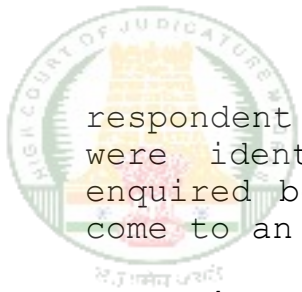
For R-2 : Mrs.R.Yamuna

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.256 of 2019 on the file of the learned Judicial Magistrate No.I, Tirunelveli for an alleged offences under Sections 147,294(b),324, 506(ii) of IPC and Section 4 of TNPHW Act.

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 has 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 Mr.Nainar, SSI 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 C.C.No.256 of 2019

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.256 of 2019 on the file of the learned Judicial Magistrate No.I, Tirunelveli , is quashed insofar as the petitioner is concerned and the terms of joint compromise memo 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. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

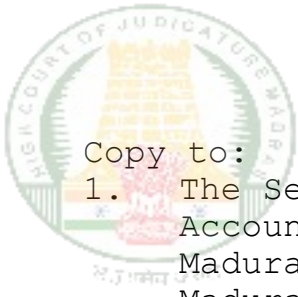
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Encl:

Xerox copy of the Joint Compromise Memo

To

1. The Judicial Magistrate No.I, Tirunelveli
2. The Inspector of Police,
Palayamkottai Police Station
Tirunelveli 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,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M. SUBASH BABU, Advocate (SR-97020[F] dated 08/11/2019

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JMN(20.11.2019) 3P : 7C