



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2019

CORAM:

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

Crl.O.P.(MD).No.16212 of 2019

Thangapandy ... Petitioner/Sole accused

Vs.

1. The State represented by
The Inspector of Police,
Palayamkottai Police Station
Tirunelveli District.

2. Mohamed Mydeen ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., calling for records in C.C. No.491 of 2016 on the file of the learned Judicial Magistrate No.I, Tirunelveli and quash the same.

For Petitioner : Mr.M. Sankar

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

For R-2 : Mr. S. Arumugaraj

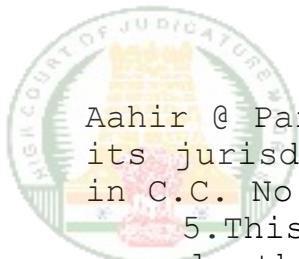
ORDER

The Criminal Original Petition has been filed to quash the C.C. No.491 of 2016 on the file of the learned Judicial Magistrate No.I, Tirunelveli for an alleged offences under Sections 294(b), 323, 427 and 506(ii) 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 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 the 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 case 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. 491 of 2016.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No. 491 of 2016 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 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.

Sd/-

Assistant Registrar (CrI Side)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox Copy of Joint Compromise Memo.

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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.

+2 CC to M/s.M.SANKAR, Advocate (SR-97118[F] dated 08/11/2019)

CrI.O.P.(MD).No.16212 of 2019

07.11.2019

KK/SAR/02.12.2019/2P-8C/