



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.11.2019**

CORAM:

WEB COPY

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

Crl.O.P. (MD) .No.16439 of 2019

1.Chellammal
2.Manivannan

... Petitioners/Accused Nos.1 & 2

Vs.

1.The State rep.by
The Inspector of Police,
Oomachikulam Police Station,
Madurai,Madurai District.
(In Crime No.18 of 2017) ...1st Respondents/Complainants

2.Gopilingam ...2nd Respondent/*De-facto* 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 C.C.No.696 of 2019 pending on the file of the Judicial Magistrate, Additional Mahila Court, Madurai and quash the same as illegal.

For Petitioners : Mr.G.Kannan

For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

For R2 : Mr.N.T.Tamilmani

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.696 of 2019 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai.

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 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.Kumarasamy, 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 learned Judicial Magistrate, Additional Mahila Court, Madurai. 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.696 of 2019 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.696 of 2019 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Madurai, 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.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), and file a photocopy of the receipt along with a memo reporting compliance before the Registry / first respondent and the trial Court on or before **19.11.2019**, failing which, this order automatically stands cancelled without further reference to this Court and the trial Court can proceed with the trial in C.C.No.696 of 2019.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

vsd

Encl: Xerox copy of the Joint Compromise Memo

To

1.The Judicial Magistrate,
Additional Mahila Court,
Madurai.

2.The Inspector of Police,
Oomachikulam Police Station,
Madurai, Madurai District.

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



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.

+2 CC to M/s.N.TAMILMANI, Advocate (SR-97359[F] dated 11/11/2019)

CrI.O.P. (MD) .No.16439 of 2019
11.11.2019

JMN(14.11.2019) 3P : 7C