



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No. 16774 of 2019

1. Murugesan @ Murugesan
2. Murugaiah
3. Subbammal @ Thangammal ... Petitioners/A1 to A3
Vs

1. State Rep. by
The Inspector of Police,
Puliyarai Police Station,
Tirunelveli District.

2. Subbammal ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to quash the criminal proceedings in P.R.C. No. 2 of 2019 on the file of the learned Judicial Magistrate, Senkottai, Tirunelveli District.

For Petitioner : Mr.P.T. Thiraviam
For Respondents : Mr.K.Suyambulinga Bharathi,
G.A. (Crl. Side) for R1

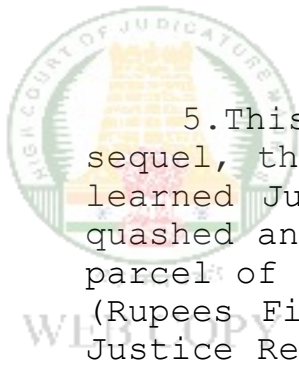
O R D E R

This petition is filed for a direction to quash the criminal proceedings in P.R.C. No. 2 of 2019 on the file of the learned Judicial Magistrate, Senkottai, Tirunelveli District.

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.D. Durai, 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 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 P.R.C. No.2 of 2019.



5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C. No. 2 of 2019 on the file of the learned Judicial Magistrate, Senkottai, Tirunelveli District., 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), and file a photocopy of the receipt along with the memo reporting compliance before the Registry/1st respondent and the trial court on or before 22.11.2019, failing which, this order automatically stands cancelled without further reference to this Court and the trial court can proceed with the trial in P.R.C. No. 2 of 2019.

Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar (CS)

Encl:Xerox copy of joint compromise memo

ksa

To

1. The Judicial Magistrate,
Senkottai,
Tirunelveli District.
2. The Inspector of Police,
Puliyarai Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Section Officer
Accounts Section
Madurai Bench of Madras High Court, Madurai

Copy to

The Section Officer-2 copies

Criminal Section

Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.P.T.THIRAVIAM, Advocate (SR-98583[F] dated
15/11/2019)

Order made in

CRL.O.P (MD) No.16774 of 2019

15.11.2019