



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2019

CORAM:

WEB COPY

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

Crl.O.P. (MD) .No. 16752 of 2019

1. Krishnaraju @ Krishnaraj @ Krishnarajan
2. Balakrishnan @ Balakrishnaraj ... Petitioners/Accused

Vs.

1. State rep by its,
The Inspector of Police,
Palamedu Police Station,
Madurai District.
(Crime No. 100 of 2017)
2. Kumar @ Ramkumar
3. Jayalakshmi
4. Shanthi
5. Sheeni @ Srinivasan ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to C.C. No.40 of 2019 on the file of the learned Judicial Magistrate, Vadipatti and quash the same.

For Petitioner : Mr.R. Venkateshwaran

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

For R-2 : Mr.V.Chandra Pandi

ORDER

The Criminal Original Petition has been filed to quash the proceedings of C.C. No.40 of 2019 on the file of the learned Judicial Magistrate, Vadipatti, for an alleged offences under Sections 294(b), **(*) 323** of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

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 petitioner and the respondents-2 to 5 and also by their respective counsel. The petitioners and the



respondents-2 to 5 were also present in person before this Court and they were identified by Mr.Deivendran, S.S.I 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.40 of 2019.

5. (*)Further it is represented by the learned counsel for the petitioners that the petitioners has paid 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) on 27.11.2019 and filed the original receipt along with the memo. The said submission is placed on record. Hence, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No. 40 of 2019 on the file of the learned Judicial Magistrate, Vadipatti, is quashed insofar as the petitioners alone.

Sd/-

Assistant Registrar (CO)

(*)Paragraph Nos.1 & 5 are amended as per order dated 27.11.2019 by GKIJ in CRL OP(MD).16752 of 2019 under the captioning Being Mentioned.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

ksa

Encl:Xerox copy of the Joint Compromise Memo

To

(*) to be substituted the order already despatched on 20.11.2019

1. The Judicial Magistrate, Vadipatti.

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



3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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Copy to:
The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.VENKATESHWARAN, Advocate (SR-98228[F] dated
14/11/2019)

Crl.O.P.(MD).No. 16752 of 2019
14.11.2019

JMN(19.11.2019) 3P : 6C
TR(06.12.2019) 3P 6C