



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. 16712 of 2019

1. Kalaiselvan
2. Guruvelmurugan
3. Arunaselvam
4. Sethukarasi
5. Saravanakumari
6. Renukadevi
7. Yogasri

... Petitioners/A1 to A7

Vs.

1. The Inspector of Police,
Bazaar Police Station,
Ramnad District.
(Crime No.9 of 2018)

... 1st Respondent/Complainant

2. Senthil Velan

... 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in C.C. No.364 of 2018 on the file of the learned Judicial Magistrate No.I, Ramanathapuram District in Crime No.9 of 2018 on the file of the first respondent police and quash the same.

For Petitioner : Mr.A. Uthaya Kumar

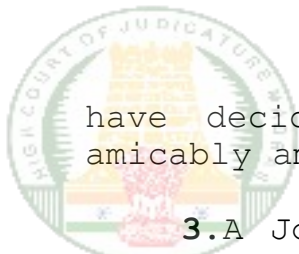
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

For R-2 : Mr.K.Prakash

ORDER

The Criminal Original Petition has been filed to quash the proceedings of C.C. No.364 of 2018 on the file of the learned Judicial Magistrate No.I, Ramanathapuram District in Crime No.9 of 2018 on the file of the first respondent police, for an alleged offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC.

2. The case is under trial. By passage of time, the parties
<https://hcservices.ecourts.gov.in/hcservices/>



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 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.Krishnamoorthy, 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.364 of 2018.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C. No.364 of 2018 on the file of the learned Judicial Magistrate No.I, Ramanathapuram, 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 C.C.No.364 of 2018.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

ksa

Encl:

Xerox copy of the Joint Compromise Memo

To

1. The Judicial Magistrate No.I,
Ramanathapuram.



2. The Inspector of Police,
Bazaar Police Station,
Ramnad District.

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.

+1 CC to M/s.A.UTHAYA KUMAR, Advocate (SR-98163[F] dated 14/11/2019

CrI.O.P. (MD) .No. 16712 of 2019
14.11.2019

JMN(19.11.2019) 3P : 6C