



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2019

CORAM:

WEB COPY

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

Crl.O.P. (MD) .No.16906 of 2019

Murugesan ... Petitioner/Sole Accused

Vs.

1.The Inspector of Police
Ottapidam Police Station,
Thoothukudi District,
Cr.No.158 of 2015.

... 1st Respondent/Complainant

2.Kausalya

... 2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the impugned charge sheet in C.C.No.19 of 2016 pending on the file of the learned Judicial Magistrate, Vilathikulam, Thoothukudi District.

For Petitioner : Mr.R.Murugan

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

For R-2 : Mr.M.Chinnathambi

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.19 of 2016 on the file of the Judicial Magistrate, Vilathikulam, Thoothukudi 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 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 Mr.Jeyaseelam, 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 charge sheet 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.19 of 2016.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.19 of 2016 on the file of the Judicial Magistrate, Vilathikulam, Thoothukudi District, 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), 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 **25.11.2019**, 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.19 of 2016.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

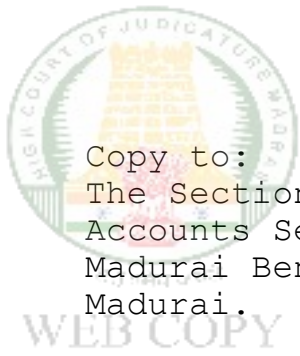
Ls

Encl:

Xerox copy of the Joint Compromise Memo

To

- 1.The Judicial Magistrate,
Vilathikulam,
Thoothukudi District.
2. The Inspector of Police
Ottapidam Police Station,
Thoothukudi 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.R.MURUGAN, Advocate (SR-99108[F] dated 18/11/2019)

Crl.O.P. (MD) .No.16906 of 2019
18.11.2019

JMN(15.11.2019) 3P : 6C