



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N.ANAND VENKATESH**

Crl.O.P.(MD) No.5135 of 2017

and

Crl.M.P.(MD) No.3641 of 2017

Sajan K.Thomas

... Petitioner

Vs.

1.The Inspector of Police,
Kadayam Police Station,
Kadayam.

2.Ulaganathan

3.Ajay

4.Hariraman

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the charge sheet in S.C.No.205 of 2017 on the file of the Additional District and Sessions Court No.IV, Tirunelveli.

For Petitioner : Mr.Dig Vijay Pandian

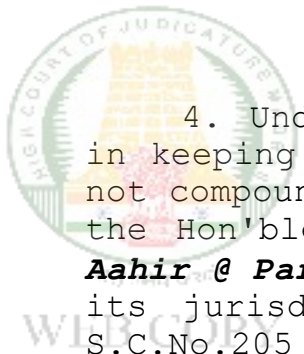
For Respondents : Mr.K.Suyambulingabharathi
Government Advocate (for R1)
No appearance (for R2 & R3)
Mr.S.Arivalagan (for R4)

O R D E R

This Criminal Original Petition has been filed seeking to quash S.C.No.205 of 2017 on the file of the Additional District and Sessions Court No.IV, Tirunelveli.

2. The case is still in the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. An affidavit, dated 28.11.2019 has been filed before this Court which has been signed by the fourth respondent/defacto complainant and also by his respective counsel. The defacto complainant also present in person before this Court and he was identified by Mr.R.Kannan, SSI of Police, Kadayam Police Station. In order to identify the party, he has produced the copy of the Aadhaar Card and the same is made part of the record. This Court also enquired the party and was satisfied that the party has come to an amicable settlement.



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 case in S.C.No.205 of 2017, pending on the file of the learned Additional District and Sessions Court IV, Tirunelveli.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.205 of 2017, pending on the file of the learned Additional District and Sessions Court IV, Tirunelveli, is hereby quashed based on the affidavit filed by the defacto complainant which shall form part and parcel of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar(CS)

ENCL:XEROX COPY OF AFFIDAVIT

rmk

To

1.The Additional District and Sessions Court No.IV,
Tirunelveli.

2.The Inspector of Police,
Kadayam Police Station,
Kadayam.

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

+1 CC to M/s.M.DIGUVIJAYAPANDIAN, Advocate (SR-102704[F] dated
29/11/2019)

Crl.O.P. (MD) No.5135 of 2017

Dated:

28.11.2019

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