



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM:

WEB COPY

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

Crl.O.P.(MD) No.17059 of 2019

Shanmuganathan

... Petitioner/Sole Accused

Vs.

1.State Rep by
The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
(Crime No.330/2016)

... 1st Respondent/Complainant

2.Vijayakumar

... 2nd Respondent/Defacto
complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the impugned Charge Sheet in C.C.No.157 of 2019 pending on the file of the learned Judicial Magistrate Court No.I, Ramanathapuram and quash the same.

For Petitioner : Mr.R.Murugan
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

For R2 : Mr.I.Karuppiah

ORDER

This petition has been filed to quash the proceedings in C.C.No.157 of 2019 pending on the file of the learned Judicial Magistrate Court No.I, Ramanathapuram.

2.The case is still at the stage of 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.Vasanthakumar, Sub-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 First Information Report is pending before the respondent police. 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.157 of 2019 pending on the file of the learned Judicial Magistrate Court No.I, Ramanathapuram.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in proceedings in C.C.No.157 of 2019 pending on the file of the learned Judicial Magistrate Court No.I, Ramanathapuram, is quashed and the terms of joint compromise memo, which 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), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance before the Registry / the trial Court on or before **28.11.2019**, 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.157 of 2019.

Sd/-

Assistant Registrar (CS-III)

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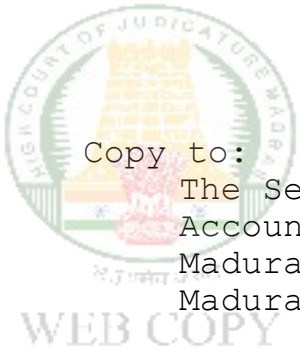
Sub Assistant Registrar(CS)

dss

To

1. The Judicial Magistrate Court No.I,
Ramanathapuram.
2. The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor.
Madurai Bench of Madras High Court,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



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

+1 CC to M/s.R. MURUGAN, Advocate (SR-99782[F] dated 20/11/2019)

Crl.O.P. (MD) No.17059 of 2019
20.11.2019

JMN (21.11.2019) 3P : 6C