



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

WEB COPY

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

Crl.O.P.(MD).No.17365 of 2019

1. Rajkumar @ Kodiankulam kumar

2.Muthupandi

3.Vijayalakshmi

... Petitioners

Vs.

1.State rep. by

The Inspector of Police,

City Crime Branch

Tirunelveli City

2.Arumugam(died)

3.Subbulakshmi

4.Murugesan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the charge sheet in C.C.No. 37 of 2009 on the file of the Judicial Magistrate Court No.I, Tirunelveli and quash the same against this petitioners alone.

For Petitioners : Mr.M.Murugesan

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

For R-3& 4 : Mr.Murugesan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No. 37 of 2009 on the file of the Judicial Magistrate Court No.I, Tirunelveli for an alleged offences under Sections 420,419,384 and 387 of IPC.

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 has been signed by the petitioners and the third and fourth respondents and also by their respective counsel. The petitioners and the third and fourth respondent were also present in person before this Court and they were identified by Mr.S.Gangai Muthu, SSI 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No. 37 of 2009.

5.It is represented by the learned counsel for the petitioners that the petitioners 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 25.11.2019 and filed the copy of receipt along with the memo. The said submission is placed on record.

6. Hence, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No. 37 of 2009 on the file of the Judicial Magistrate Court No.I, Tirunelveli, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate Court No.I, Tirunelveli

2.The Inspector of Police,
City Crime Branch
Tirunelveli City

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.M. MURUGESAN, Advocate (SR-101239[F] dated 26/11/2019
Crl.O.P. (MD) .No.17365 of 2019
25.11.2019

KK/SAR/26.11.2019/2P-6C/