



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM

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

CRL.O.P. (MD) .No.17499 of 2019

Premkumar

... Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
Kariapatti Police Station,
Virudhunagar District.
Crime No.159 of 2016. ...1st Respondent/Complainant

2.Kandasamy ...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 charge sheet in C.C.No.149 of 2017 on the file of the learned Judicial Magistrate No.II, Virudhunagar District and quash the same.

For Petitioner : Mr.I.Robert Chandrakumar

For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

For R2 : Mr.Barathi

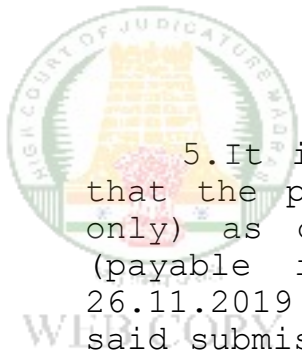
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.149 of 2017 on the file of the learned Judicial Magistrate No.II, Virudhunagar 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 compromise memo 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.E.Murugan, 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 proceeding pending before the trial Court. 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceeding in C.C.No.149 of 2017, pending on the file of the learned Judicial Magistrate No.II, Virudhunagar District.



5.It is represented by the learned counsel for the petitioner that the petitioner 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 26.11.2019 and filed the original 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.149 of 2017 on the file of the learned Judicial Magistrate No.II, Virudhunagar District, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

das

To

- 1.The Judicial Magistrate No.II,
Virudhunagar District.
- 2.The Inspector of Police,
Kariapatti Police Station,
Virudhunagar 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.I. ROBERT CHENDRAKUMAR, Advocate (SR-101692[F] dated 27/11/2019)

CRL.O.P. (MD) .No.17499 of 2019
26.11.2019

KK/SAR/27.11.2019/2P-6C/