



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM:

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

Crl.O.P. (MD) .No.17243 of 2019

Esakkimuthu

... Petitioner/Sole Accused

Vs.

1.The Inspector of Police
Muthaiahpuram Police Station
Tuticorin District
(In Crime No.240 of 2016)

... 1st Respondent/Complainant

2.Kasi

... 2nd Respondent/Defacto Complainant

3.Sivaranjani

... 3rd Respondent/Victim Girl

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in Special S.C.No.70 of 2018 on the file of the Mahila Court, Tuticorin against Crime No.240 of 2016 on the file of the first respondent and quash the same.

For Petitioner : Mr.V.Malaiyendran

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

For R-2 & R-3 : Mr.S.Paul Murugesh

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Special S.C.No.70 of 2018 on the file of the Mahila Court, Tuticorin.

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 and third respondents and also by their respective counsel. The petitioner and the second and third respondents were also present in person before this Court and they were identified by Mr.P.Ramachandran, Special 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 proceedings 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Special S.C.No.70 of 2018 on the file of the Mahila Court, Tuticorin.

5.It is represented by the learned counsel for the petitioner that the petitioner already 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), and also a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the second and third respondents on 22.11.2019 and filed the original receipt along with the memo. The said submission is placed on record. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Special S.C.No.70 of 2018 on the file of the Mahila Court, Tuticorin, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

Sub Assistant Registrar(CS)

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ENCL.: XEROX COPY OF JOINT COMPROMISE

To

1. The Mahila Court Tuticorin.

2. The Inspector of Police

Muthaiahpuram Police Station, Tuticorin 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.

+1CC TO MR.V.MALAIYENDRAN, Advocate Sr. No. 100714

Crl.O.P. (MD) .No.17243 of 2019

22.11.2019

DB (CO)

TR(25.11.2019) 2P 6C

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