



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM

WEB COPY

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

CRL.O.P. (MD) .No.17492 of 2019

1.Manickavasagam
2.Latchumanan
3.Valavanthal
4.Paramasivam
5.Valavanthal

... Petitioners

Vs.

1.State represented by
The Inspector of Police,
All Women Police Station,
Pudukkottai,
Tuticorin District.
(Crime No.10 of 2017)

2.Jeeva

3.Muthulakshmi

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the Special S.C.No.19 of 2018 on the file of the Mahila Court, Tuticorin against Crime No.10 of 2017 on the file of the first respondent police and quash the same as illegal.

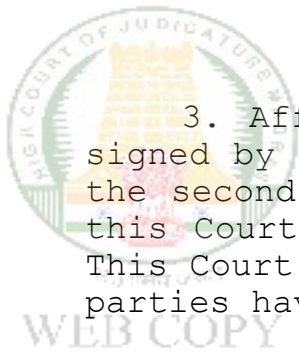
For Petitioners : Mr.V.Malaiyendran
For R1 : Mr.K.Suyambulinga Bharathi,
Government Advocate (Criminal Side)

For R3 : Mr.Paul Murugesh

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Special S.C.No.19 of 2018 on the file of the Mahila Court, Tuticorin.

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. Affidavit has been filed before this Court, which has been signed by the third respondent and her counsel. The petitioners and the second and third respondents were also present in person before this Court and they were identified by Ms.Muthumari, SI 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceeding Special S.C.No.19 of 2018, pending on the file of the Mahila Court, Tuticorin.

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 Special S.C.No.19 of 2018, on the file of the Mahila Court, Tuticorin, is quashed and the terms of affidavit shall form part and parcel of this order.

Sd/-
Assistant Registrar

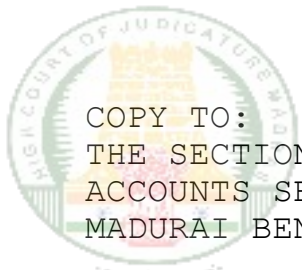
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Sub Assistant Registrar

Enclosure: Xerox copy of Affidavit.

To

- 1.The Mahila Court, Tuticorin.
- 2.The Inspector of Police,
All Women Police Station,
Pudukkottai, 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.

+1 CC to M/s.V. MALAIYENDRAN, Advocate (SR-101237[F] dated
26/11/2019)

CRL.O.P. (MD) .No.17492 of 2019
26.11.2019

DAS
JM/28.11.2019/3P/6C