



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.17598 of 2019

Daniel Britto

... Petitioner/Accused No.3

Vs.

1.The Inspector of Police
TVMC Police Station,
Tirunelveli District
Cr.No.227 of 2017.

... 1st Respondent/Complainant

2.Edwin Rajkumar

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in P.R.C.No.56 of 2017 on the file of the Judicial Magistrate No.I, Tirunelveli and quash the same.

For Petitioner : Mr.R.J.Karthick

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

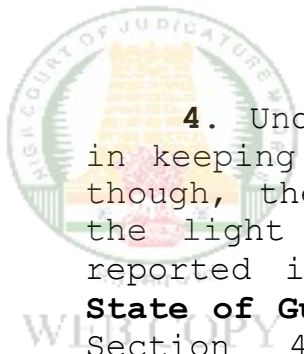
For R-2 : Mr.S.Muthumalairaja

ORDER

The Criminal Original Petition has been filed to quash the committal proceedings in P.R.C.No.56 of 2017 on the file of the Judicial Magistrate No.I, Tirunelveli.

2. The case is still at the stage of committal. 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.Arumugagani, 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 committal 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 committal proceedings in P.R.C.No.56 of 2017 on the file of the Judicial Magistrate No.I, Tirunelveli.

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 filed the original receipt along with the memo, on 27.11.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the committal proceedings in P.R.C.No.56 of 2017 on the file of the Judicial Magistrate No.I, Tirunelveli, is hereby quashed insofar as the petitioner herein is concerned and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

Enclosure: Xerox copy of Joint Compromise Memo.

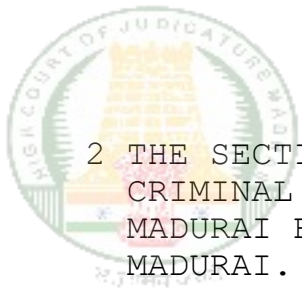
To

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

COPY TO:

- 1 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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



2 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (2 COPIES)

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+2 CC to M/s.R.J. KARTHICK, Advocate SR.No.101882

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LS
JM/28.11.2019/3P/9C