



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2019

CORAM:

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

Crl.O.P. (MD) .No.17661 of 2019

1. Balasubramanian
2. Ganesan (Died)
3. Saraswathi
4. Tamilselvi
5. Vilvaraj ... petitioners/Accused Nos.1 to 5

Vs.

- 1.The Inspector of Police
All Women Police Station,
Tiruchendur,
Thoothukudi District. ... 1st Respondent/Complainant

- 2.Sivasundari ... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records in relating to the charge sheet in C.C.No.90 of 2016 on the file of the learned Judicial Magistrate, Tiruchendur and to quash the same .

For petitioners : Mr.N.Ramesharumugam

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

For R-2 : Mr.A.Karthick Kumar

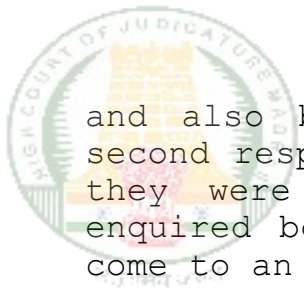
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.90 of 2016 on the file of the learned Judicial Magistrate, Tiruchendur.

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 petitioners and the second respondent

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



and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Ms.M.Inthumathi, WPC. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

WEB COPY

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 C.C.No.90 of 2016 on the file of the learned Judicial Magistrate, Tiruchendur.

5.It is represented by the learned counsel for the petitioners that the petitioners 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 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 proceedings in C.C.No.90 of 2016 on the file of the learned Judicial Magistrate, Tiruchendur, is hereby quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

Sub Assistant Registrar(CS)

Ls

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. The Judicial Magistrate
Tiruchendur.
- 2.The Inspector of Police
All Women Police Station,
Tiruchendur, Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



4. The Section Officer,Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.M.S.JEYAKARTHIK, Advocate Sr. No. 101791

Cr1.O.P. (MD) .No.17661 of 2019
27.11.2019

AL (CO)
TR (28.11.2019) 3P 6C