



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

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

Crl.O.P.(MD)No.17864 of 2019

1.Vasudhevar
2.Palmoorthy
3.Mageshwaran

...Petitioners/Accused 1 to 3

-Vs-

1.State represented through
The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai.
Dindigul District.
(Charge Sheet.146 of 2012)

... 1stRespondent/Complainant

2.Subramani

... 2nd Respondent/Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Charge Sheet No.146 of 2012 on the file of the learned Additional District Munsif cum Judicial Magistrate Court, Veda sandhur, Dindigul, and quash the same as illegal as against the petitioner concerned.

For Petitioners : Mr.P.Manikandan

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

For R2 : Mr.K.Pal Murugan

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Charge Sheet No.146 of 2012 on the file of the learned Additional District Munsif cum Judicial Magistrate Court, Veda sandhur, Dindigul.

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 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 Mr.A.Sivakumar, Special Sub-Inspector. 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 First Information Report pending before the respondent police. 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 Charge Sheet No.146 of 2012 on the file of the learned Additional District Munsif cum Judicial Magistrate Court, Vendasandhur, Dindigul.

5. It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.15000/- (Rupees Fifteen 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 cash receipt along with this memo on 29.11.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Charge Sheet No.146 of 2012 on the file of the learned Additional District Munsif cum Judicial Magistrate Court, Vendasandhur, Dindigul, 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)

Dss

Encl: Xerox copy of Joint Compromise Memo

To

1. The Additional District Munsif cum
Judicial Magistrate Court,
Vendasandhur, Dindigul.
2. The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai. Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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



copy to

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

WEB COPY

+1 CC to Mr.MANIKANDAN, Advocate (SR-102633[F] dated 29/11/2019)

CrI.O.P. (MD) No.17864 of 2019
29.11.2019

VB(11.12.2019) 3P 6C