



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

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CORAM:

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

Crl.O.P.(MD).Nos. 17849 & 17851 of 2019

Crl.O.P.(MD).Nos. 17849 of 2019

1. Thangaiah
2. Sivaperumal ... Petitioners

Vs.

1. State represent through the
Inspector of Police,
Sivalaperi Police Station,
Sivalaperi, Tirunelveli District.
(Crime No. 65 of 2015) ... Respondent No.1/Complainant

2. Kaliammal ... Respondent No.2/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the case in C.C. No. 68 of 2016 on the file of the Judicial Magistrate Court (Additional Mahila), Tirunelveli and quash the same.

For Petitioners : Mr.R. Karunanidhi

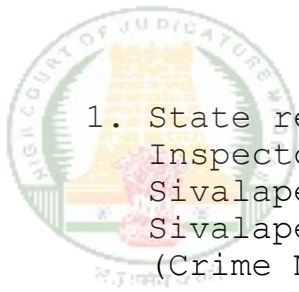
For R-1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

For R-2 : Mr. P. Ponraj

Crl.O.P.(MD).Nos. 17851 of 2019

1. Aravindh Perumal
2.Kaliammal ... Petitioners

Vs.



1. State represent through the
Inspector of Police,
Sivalaperi Police Station,
Sivalaperi, Tirunelveli District.
(Crime No. 65 of 2015)

2. Thangiah

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the case in C.C. No. 399 of 2017 on the file of the Judicial Magistrate Court (Additional Mahila), Tirunelveli and quash the same.

For Petitioners : Mr.P. Ponraj

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

For R-2 : Mr. M. Karunanidhi

COMMON ORDER

The Criminal Original Petitions have been filed to quash the proceedings of the charge sheet in C.C. Nos. 68 of 2016 and 399 of 2017 on the file of the Judicial Magistrate Court, (Additional Mahila), Tirunelveli.

2. 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 both the parties and also by their respective counsel and both the parties were also present in person before this Court and they were identified by Mr. S. Velladurai, SSI. 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 caseS, 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. Nos.68 of 2016 and 399 of 2017.

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) on 28.11.2019 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 C.C. Nos.68 of 2016 and 399 of 2017 on the file of the Judicial Magistrate Court, (Additional Mahila), Tirunelveli is quashed and the terms of joint compromise memo shall form part and parcel of this order.

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Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox Copy of Joint Compromise Memo.

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To

1. The Judicial Magistrate Court,
Additional Mahila, Tirunelveli.
2. The Inspector of Police,
Sivalaperi Police Station,
Sivalaperi, Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

+1 cc Mr.R.KARUNANIDHI ,Advocate, SR.No. 102330

Cr1.O.P. (MD) .Nos.17849 &
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28.11.2019

KK/SAR/29.11.2019/3P-5C/