



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

WEB COPY

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

Crl.O.P. (MD) .No.17957 of 2019

Karthik

... Petitioner/Accused

**Vs.**

1. State represented by  
The Sub Inspector of Police,  
Kulathur Police Station,  
Thoothukudi District.  
Crime No.95 of 2018.

... Respondent/Complainant

2. Lakshmanan

... Respondent/Defacto  
Complainant

**PRAYER :** Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records pertaining to the case in S.T.C.No.755 of 2018, on the file of the learned Judicial Magistrate, Vilathikulam, Thoothukudi District and quash the same as against the petitioner.

For Petitioner : Mr.R.Anand  
For R1 : Mr.K.Suyambulinga Bharathi  
Government Advocate (Crl. Side)  
For R2 : Mr.P.Samuel Gunasingh

**ORDER**

The Criminal Original Petition has been filed to quash the proceedings in S.T.C.No.755 of 2018, on the file of the learned Judicial Magistrate, Vilathikulam, Thoothukudi District.

**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.M.Selvan, SI. 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 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 S.T.C.No.755 of 2018, on the file of the learned Judicial Magistrate, Vilathikulam, Thoothukudi District.

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), on 29.11.2019 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 S.T.C.No.755 of 2018, on the file of the learned Judicial Magistrate, Vilathikulam, Thoothukudi District, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

**Encl.: Xerox copy of Compromise Memo  
To**

1. The Judicial Magistrate,  
Vilathikulam,  
Thoothukudi District.
2. The Sub Inspector of Police,  
Kulathur Police Station,  
Thoothukudi District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.R.ANAND, Advocate ( SR-103212[F] dated 03/12/2019 )

DAS

TE : 03/01/2020 : 2P/5C

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