



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.17989 of 2019

Ramesh

... Petitioner / Sole Accused

Vs.

1.The State rep.by its

The Inspector of Police,

Thalamuthu Nagar Police Station,

Thoothukudi District.

Crime No.417 of 2012.

... 1st Respondent / Complainant

2.Kumar @ Siruthaikumar

... 2nd Respondent / Defacto Complainant

3.Mathi

...3rd Respondent / Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records in relating to the entire proceedings of the Charge Sheet in Spl.S.C.No.38 of 2018, on the file of the learned Mahila Court at Thoothukudi and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.N.Ramesh Arumugam

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

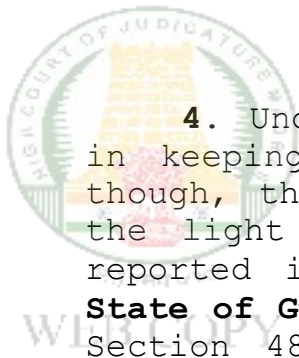
For R-2 & R-3 : Mr.A.Karthick Kumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.38 of 2018, on the file of the learned Mahila Court at Thoothukudi.

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 petitioner and the second and third respondents and also by their respective counsel. The petitioner and the second and third respondents were also present in person before this Court and they were identified by Mr.M.Maharajam, S.I. 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 Spl.S.C.No.38 of 2018, on the file of the learned Mahila Court at Thoothukudi.

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 also a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the second and third respondents 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 Spl.S.C.No.38 of 2018, on the file of the learned Mahila Court at Thoothukudi, 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)

To

(Enclose Xerox copy of Joint Compromise memo)

1. The Judge,
The Mahila Court at Thoothukudi.
 2. The Inspector of Police,
Thalamuthu Nagar Police Station, Thoothukudi District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.N. RAMESH ARUMUGAM, Advocate (SR-102763[F] 29/11/2019)

Crl.O.P. (MD) .No.17989 of 2019
29.11.2019

das

SDS (18.12.2019) 2P 5C

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