



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2019

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.18368 of 2019

1.Sivamurugan
2.Balasubramanian
3.Ramar @ Ramakrishnan
4.Alaguraja

..Petitioners /Accused Nos.1 to 4
Vs.

1. State Rep. by
The Inspector of Police,
Surankudi Police Station,
Tuticorin District.
(Crime No.162 of 2014).

...Respondent/Complainant

2.Ponkumar

... 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in S.C.No.20 of 2019, on the file of the District and Sessions Court, Thoothukudi and quash the same.

For Petitioner: Mr.P.Banuprasath

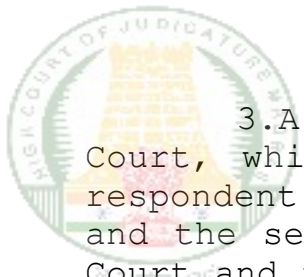
For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor

For R2 : Mr.T.S.Sasidharan Tamilkani

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.20 of 2019, on the file of the District and Sessions Court, Thoothukudi, for the offences punishable under Sections 294(b), 506(ii) and 109 of IPC and Section 3 of TNPPDL Act, in Crime No.162 of 2014.

2.The case is under 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.R.Veerapandian, SI of Police. 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 in S.C.No.20 of 2019 pending, 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.C.No.20 of 2019.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.10,000/- (Rupees Ten Thousand only) as costs to the Credit of the Anbagam (Institution for the Mentally Handicapped Children), Race Course Road, Madurai and filed the original cash receipt along with this memo on 12.12.2019. The said submission is placed on record.

6.The learned counsel for the petitioners would further submit that at the time of surrendering before the Committal Court, the petitioners have deposited some amount and they sought permission from the de-facto complainant to withdraw the said amount before the committal Court.

7.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.20 of 2019, on the file of the District and Sessions Court, Thoothukudi, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Encl:Xerox copy of joint compromise memo
sji

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



To

1.The Inspector of Police,
Surankudi Police Station,
Tuticorin District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.P.BANUPRASATH, Advocate (SR-104782[F] dated
13/12/2019)

CrI.O.P. (MD) .No.18368 of 2019
12.12.2019

KM/ (09.01.2020) 3P 4C