



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2019

CORAM:

WEB COPY THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD).No.18418 of 2019

- 1.Albert @ Ablert Enbaraj
- 2.Jeeva Jeyarani
- 3.Robert @ Palanivel
- 4.Stephen @ Stephen Yesu Gunaseelan
- 5.Nedumaran
- 6.Vimalraj @ Vimalaraja
- 7.Nelson
- 8.Robinraj
- 9.Rt.Rev.Dr.H.A.Martin
- 10.Stephen Pravinraj
- 11.Dr.J.Samu Solomon @ Solomon
- 12.Dhanapal
- 13.D.Ravindran

..Petitioners

Vs.

- 1.The State rep. by
The Inspector of Police,
Palakarai Police Station,
Trichy District.
In Crime No.788 of 2014. ... 1st Respondent/Complainant

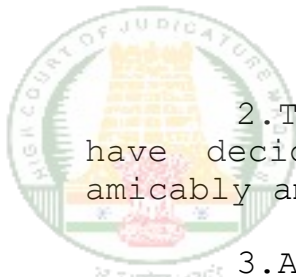
- 2.John Baskar Manuneeedi ... 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the charge sheet in P.R.C.No.171 of 2019 pending before the learned Judicial Magistrate No.V, Trichy and quash the same.

For Petitioners	: Mr.A.Joel Paul Antony
For R1	: Mrs.S.Bharathi
	Govt. Advocate (criminal side)
For R2	: Mr.M.Tamil Selvan

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in P.R.C.No.171 of 2019, on the file of the learned Judicial Magistrate No.V, Trichy, for the offences punishable under Sections 147, 148, 294(b), 352, 506(ii) of IPC and Section 3(1) of TNPPDL Act, 1996 r/w 34 of IPC in Crime No.788 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.Sivamani, SSI of Police, Palakkarai Police Station, Trichy District. 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 P.R.C.No.171 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in P.R.C.No.171 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 Madurai Bench High Court Advocates Association (MBHAA) and filed the original cash receipt along with this memo on 10.12.2019. The said submission is placed on record.

6.The learned counsel for the second respondent/de-facto complainant would submit that at the time of grant of anticipatory bail, the petitioners have deposited the amount of Rs.2000/- each before the trial Court. Hence, the learned counsel would submit that appropriate orders may be passed with regard to the amount so deposited. In view of the submission, on petition being filed by the second respondent/complainant, the trial Court shall disburse the amount to him.

7.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.171 of 2019, on the file of the learned Judicial Magistrate No.V, Trichy, 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)



1.The Inspector of Police,
Palakarai Police Station,
Trichy District.

2.Judicial Magistrate No.V,
Trichy.

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

+1 CC to M/s.M/S.A.JOEL PAUL ANTONY, Advocate (SR-104290[F] dated
10/12/2019)

Cr1.O.P. (MD) .No.18418 of 2019
10.12.2019

AL (CO)
TR (07.01.2020) 3P 5C