



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.18792 of 2019

1.Ganeshkumar
2.Chinnadurai

..Petitioners/Accused Nos.1 & 2

Vs.

1.State rep. by,
The Inspector of police,
Pazhavoor Police Station,
Pazhavoor,
Tirunelveli District.
(Crime No.76 of 2017)

.. 1st Respondent/Complainant

2.Vijay

.. 2nd Respondent/Defacto
Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the impugned charge sheet in C.C.No.197 of 2018, on the file of the Judicial Magistrate, Valliyoor, Tirunelveli District and quash the same.

For Petitioners : Mr.K.Sivabalan

For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor

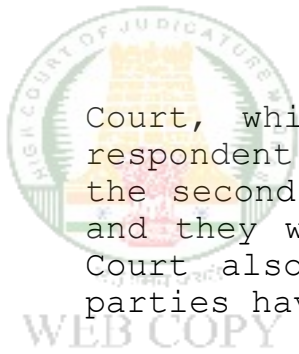
For R2 : Mr.G.Aravinthan

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.197 of 2018, on the file of the Judicial Magistrate, Valliyoor, Tirunelveli District, for the alleged offences under Sections 341, 294(b), 352 and 506(ii) of IPC.

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



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.A.Sudakar, Head Constable-693. 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 C.C.No.197 of 2018 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 C.C.No.197 of 2018.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.5000/-(Rupees Three thousand only) as costs to the Credit of ANBAGAM, (Institution for the Mentally Handicapped Children), RaceCourse Road, Madurai-625 002, and filed the original cash receipt along with this memo on 16.12.2019. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.197 of 2018, on the file of the Judicial Magistrate, Valliyoor, Tirunelveli District, 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)

vsg

Encl:

Xerox copy of the Joint Compromise Memo

To

1.The Judicial Magistrate,
Valliyoor,
Tirunelveli District.

2.The Inspector of police,
Pazhavor Police Station,
Pazhavor, Tirunelveli District.



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

+1 CC to M/s.G.ARAVINDAN, Advocate (SR-105235[F] dated 17/12/2019)

+1 CC to M/s.K.SIVABALAN, Advocate (SR-105234[F] dated 17/12/2019)

Crl.O.P. (MD) .No.18792 of 2019
16.12.2019

JMN(08.01.2020) 3P : 6C