



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2019

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.19107 of 2019

1. Ganesan
2. Martin Suthagar
3. Muhamadu Yasar Arapath ..Petitioners/A1 to A3

Vs.

1. The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
Crime No.224 of 2019.

2. R. Mariyammal ... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in C.C. No. 383 of 2019 on the file of the Judicial Magistrate, Nanguneri and to quash the same against the petitioners.

For Petitioners: Mr.J. Ashok

For R1 : Mrs.S.Bharathi
Government Advocate (Crl. side)

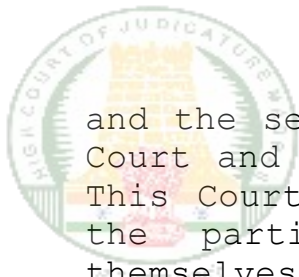
For R2 : Mr.S.R.A. Ramachandhran

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No. 383 of 2019, on the file of the learned Judicial Magistrate, Nanguneri, for the offences punishable under Sections 294(b), 506 (ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, in Crime No.224 of 2019.

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.M. Murali, Inspector Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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4.Under such circumstances, no useful purpose will be served in keeping the proceedings in C.C.No. 383 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 C.C.No.383 of 2019.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.5000/- (Rupees Five Thousand only) as costs to the Credit of the Madras High Court Madurai Bench Advocate Clerk's Welfare Association" and filed the original cash receipt along with this memo on 1912.2019. 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. 383 of 2019, on the file of the learned Judicial Magistrate, Nanguneri, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Encl:Xerox copy of joint compromise memo
ksa

To

1. The Judicial Magistrate, Nanguneri.
2. The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.



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

+1 CC to Mr.J.ASHOK, Advocate (SR-106126[F] dated 20/12/2019)

CrI.O.P. (MD) .No.19107 of 2019
19.12.2019

KM/ (08.01.2020) 3P 5C