

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.14026 of 2011
and
M.P.Nos.1 & 2 of 2011

Fr.M.Devadoss. S.J.
Provincial
The Society of Jesus
Madurai Province
St.Mary's, Dindigul. Petitioner

Vs.

Sr.Florance Mary Respondent

Prayer: This petition has been filed under Section 482 of Cr.P.C., seeking to call for the records in connection with C.C.72 of 2011 on the file of the Court of Judicial Magistrate at Jayamkondam, Ariyalur District and quash the complaint dated 02.03.2011 as well as the consequent summon dated 10.03.2011.

For Petitioner : Mr.P.Godson Swaminathan
For Respondent : Mr.N.Sankar Ganesh

O R D E R

This criminal original petition has been filed seeking to call for the records in connection with C.C.72 of 2011 on the file of the Court of Judicial Magistrate at Jayamkondam, Ariyalur District and quash the complaint dated 02.03.2011 as well as the consequent summon dated 10.03.2011.

2.The learned counsel appearing for the petitioner would submit that the petitioner and the respondent have entered into compromise. Hence, he prays that this Court, without going into the merits of the case, may permit the petitioner to file a compromise memo before the Trial Court and on filing of such compromise memo, the Trial Court may be directed to entertain the same in the light of the decision of the Hon'ble Apex Court and to pass appropriate orders for compounding the offence.

3.The learned counsel appearing for the respondent would

concede to the request made by the learned counsel appearing for the petitioner.

4.Considering the request made by the learned counsel appearing for the petitioner, this Court permits the petitioner to file the compromise memo before the Judicial Magistrate Court at Jayamkondam, Ariyalur District. On filing of such compromise memo, the learned Judicial Magistrate at Jayamkondam, Ariyalur District is directed to entertain the same and compound the offence, in accordance with law.

5.With the above directions, this criminal original petition is disposed of. Consequently, connected miscellaneous petitions, if any, are closed.

Sd/-

Assistant Registrar (CCC)

Dated: 18.02.2020

* Para 2 and 4 are corrected as per order of this Court dated 27/02/2020 in CrI.OP.No. 14026 of 2011

Sd/- Assistant Registrar (CCC)

Dated: 11.03.2020

//True Copy//

Sub Assistant Registrar

gbi

To

1.The Judicial Magistrate,
Jayamkondam,
Ariyalur District.

2.Do Thro The Chief Judicial Magistrate,
Ariyalur District.

+1cc to Mr.P.Godson Swaminath, Advocate, S.R.No. 4019

CrI.O.P.No.14026 of 2011
and
M.P.Nos.1 & 2 of 2011

LN(CO)
GN(21/02/2020)
GN(11/03/2020)