



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**
Crl.O.P.[MD].No.285 of 2020

WEB COPY

Vinoth : Petitioner/Accused No.1
Vs.

1.The State Rep. by
The Sub Inspector of Police,
Town Police Station
Devakottai, Sivagangai District :1st Respondent/Complainant

2.A.Suresh :2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in CC.No. 121 of 2013 on the file of the Judicial Magistrate, Devakottai and to quash the same in respect of the petitioner/accused no.1

For Petitioners: Mr.S.Sankarapandian

For R-1 : Mr.S.Chandrasekar
Additional Public Prosecutor

For R-2 : Mr.N.Marimuthu

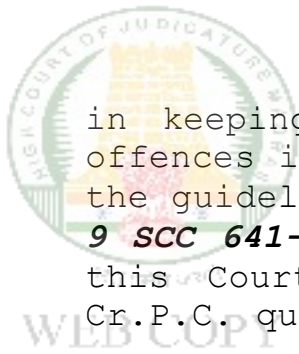
ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC.No. 121 of 2013 on the file of the Judicial Magistrate, Devakottai, for the offences punishable under Sections 147,294(b), 323 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 Court, which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.Joseph Amalraj, SSI of Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4.In view of the above circumstances, no useful purpose will be served



in keeping the CC.No. 121 of 2013 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 charge sheet in C.C.No. 121 of 2013

5.It is represented by the learned counsel for the petitioner that the petitioner had paid a sum of Rs.5000/-(Rupees Five thousand only) as costs to the Credit of the Hands of Compassion and filed the original cash receipt along with this memo on 08.01.2020. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in CC.No. 121 of 2013 on the file of the Judicial Magistrate, Devakottai, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo

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To

1.The Judicial Magistrate, Devakottai

2. The Sub Inspector of Police,
Town Police Station
Devakottai, Sivagangai District

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

+3 CC to Mr.S.SANKARAPANDIAN, Advocate (SR-760[F] dated 08/01/2020)

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KM/ (27.01.2020) 2P 7C