



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD).No.392 of 2020

WEB COPY

1. Natarajan @ Sarpudeen
2. Yasar Arapath @ Mohamed Yasir
3. Aasath
4. Mahalingam ..Petitioners/A1 to A4

Vs.

1. State through by
The Inspector of Police,
Aviyur Police Station,
Virudhunagar District,
(Crime No. 15 of 2014)

2. Palani ... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the proceedings in P.R.C. No.2 of 2019 pending on the file of learned Judicial Magistrate No.II, Virudhunagar and quash the same against the petitioners.

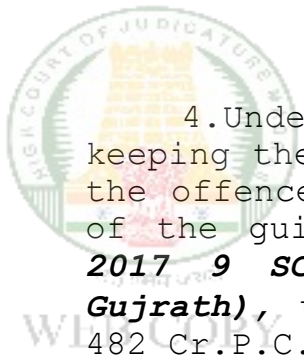
For Petitioners	: Mr.V. Thirumal
For R1	: Mrs.S.Bharathi
	Government Advocate (Crl. side)
For R2	: Mr.C. Silambarasan

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in P.R.C. No.2 of 2019, on the file of the learned Judicial Magistrate No.II, Virudhunagar, for the offences punishable under Sections 294(b), 427, 506(ii) of IPC and Section 3 of TNPPDL Act, in Crime No.15 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.Kannan, 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. Under such circumstances, no useful purpose will be served in keeping the proceedings in P.R.C. No.2 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.2 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 'M.S. Chellamuthu Trust and Research Foundation' and filed the original cash receipt along with this memo on 09.01.2020. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C. No.2 of 2019, on the file of the learned Judicial Magistrate No.II, Virudhunagar, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ENCL: Xerox copy of Joint Compromise Memo

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To

1. The Judicial Magistrate No.II, Virudhunagar.

2. The Inspector of Police,
Aviyur Police Station,
Virudhunagar District,

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

+1 CC to M/s.V.THIRUMAL, Advocate (SR-1183[F] dated 09/01/2020)

Crl.O.P. (MD).No.392 of 2020
09.01.2020

SMA/03/02/2020/2P/5C