



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2020

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.421 of 2020

1.Annamalai @ Selvakumar
2.Manikandan
3.Anbarasu @ Anbarasan ..Petitioners/Accused Nos. 1 to 3

Vs.

State Rep. by
1. The Inspector of Police,
Pazhavor Police Station,
Pazhavor, Tirunelveli District.
Crime No.102 of 2011. ... 1st Respondent/Complainant
2.Tamilarasi ...2nd Respondent/Defacto Complainant

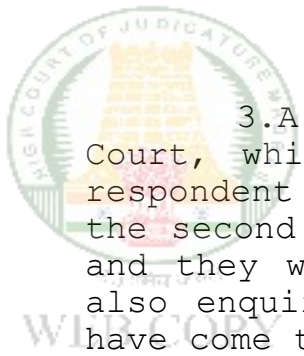
PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to the impugned charge sheet in S.C.No.575 of 2018, on the file of the III Additional District and Sessions Court, Tirunelveli District and quash the same.

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 S.C.No.575 of 2018, on the file of the III Additional District and Sessions Court, Tirunelveli District, for the offences punishable under Section 448 of IPC and Section 3 of TNPPDL Act in Crime No.102 of 2012.

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.Ganakkan, SI 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 S.C.No.575 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 S.C.No.575 of 2018.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.10,000/- (Rupees Ten thousand only) as costs to the Credit of the Anbagam (Institution for the Mentally Handicapped Children) Race Course Road, Madurai and filed the original cash receipt along with this memo on 20.01.2020. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.575 of 2018, on the file of the III Additional District and Sessions Court, Tirunelveli District, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

Encl Xerox copy of Joint Compromise Memo.

To

1.The III Additional District and Sessions Court, Tirunelveli
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 Mr.K.SIVABALAN, Advocate (SR-2086[F] dated 21/01/2020)

+1 CC to Mr.G.ARAVINTHAN, Advocate (SR-2087[F] dated 21/01/2020)

Crl.O.P. (MD) .No.421 of 2020
20.01.2020

VB(10.02.2020) 3P 6C