



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2020

CORAM:

WEB COPY

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**
Cr1.O.P. (MD) No.1278 of 2020

P. Raja : Petitioner/A1

Vs.

1. State - The Inspector of Police,
Kalugumalai Police Station,
Thoothukudi District.

(In Crime No. 151 of 2017) : 1st Respondent/Complainant

2. M.Ashokraja : 2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to record the compromise memo and quash the charge sheet filed against the petitioner in P.R.C.No.37 of 2018 on the file of the Judicial Magistrate Court no.I, Kovilpatti.

For Petitioner : Mr.S.Saravanan
For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor
For R2 : Mr. J. Velmurugan

ORDER

This Criminal Original Petition has been filed to record the compromise memo and quash the charge sheet filed against the petitioner in P.R.C.No.37 of 2018 on the file of the Judicial Magistrate Court no.I, Kovilpatti, for the offences under Section 434 of IPC and Section 4 of Tamilnadu Public Property (Prevent of Damage & Loss) Act, 1992.

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.S. Arumugasamy, Sub-Inspector 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 PRC No. 37 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482-Cr.P.C. quashes the proceedings in PRC No. 37 of 2018.

5.It is represented by the learned counsel for the petitioner that the petitioner paid a sum of Rs.5000/-(Rupees Five Thousand only) as costs to the Credit of the Chief Justice Relief Fund and filed the original cash receipt along with this memo on 28.01.2020. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in PRC No. 37 of 2018, on the file of the learned Judicial Magistrate Court No.I, Kovilpatti, 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)

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Encl: Xerox copy of joint compromise memo

To

1. The Judicial Magistrate Court No.I, Kovilpatti.

2. The Inspector of Police,
Kalugumalai Police Station,
Thoothukudi District.

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

+1 CC to Mr.S.SARAVANAN, Advocate (SR-3491[F] dated 28/01/2020)

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28.01.2020

VB(11.02.2020) 2P 5C