



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2020

CORAM:

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

Crl.O.P.(MD).No.1202 of 2020

WEB COPY

1.Sivabackiyam @ Sivabackiyavelan

2.Mariappan .. Petitioners/Accused No.1 and 2

Vs.

1.The Inspector of Police,
Puthanatham Police Station,
Trichy District.

(Crime No.96 of 2019) ..1st Respondent/Complainant

2.Gomathi .. 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the proceedings in C.C.No.161 of 2019 pending on the file of the Judicial Magistrate, Manapparai, Trichy District and quash the same as against the petitioners.

For Petitioners : Mr.M.Pitchai Muthu

For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.161 of 2019 pending on the file of the Judicial Magistrate, Manapparai, Trichy District, for the offences punishable under Sections 294(b), 323 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.96 of 2019.

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.P.Sivakumar HC-743. 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 C.C.No.161 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.161 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 M.S.Chellamuthu Trust and Research Foundation and filed the original cash receipt along with this memo on 27.01.2020. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.161 of 2019, on the file of the learned Judicial Magistrate, Manapparai, Trichy District, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

Encl:Xerox Copy of Joint Compromise Memo.

To

1.The Judicial Magistrate
Manapparai,
Trichy District.

2.The Inspector of Police,
Puthanatham Police Station,
Trichy District.

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

+2 CC to M/s.M.PITCHAIMUTHU, Advocate (SR-3559[F] dated
29/01/2020)

Crl.O.P. (MD) .No.1202 of 2020
27.01.2020

KK/SAR/12.02.2020/2P-6C/

<https://hcservices.ecourts.gov.in/hcservices/>