



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.(MD).No.1445 of 2020

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1.Moonjuru @ Vinoth Kumar
2.Logu @ Loganathan

... Petitioners/Accused No.1&2/Accused

Vs.

1.State represented by,
The Sub Inspector of Police,
Chinnamanur Police Station,
Theni District.

... 1st Respondent/Complainant/Complainant

2.S.Pandiaraj

... 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 Charge sheet in C.C.No.42 of 2017 on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District and quash the same.

For Petitioners : Mr.J.Anandkumar

For R1 : Mrs.S.Bharathi,
Government Advocate (Crl. Side)

O R D E R

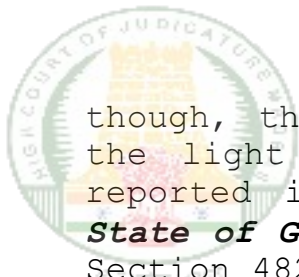
The Criminal Original Petition has been filed to quash the proceedings in C.C.No.42 of 2017 on the file of the learned Judicial Magistrate, Uthamapalayam, Theni District, for the offence punishable under Section 379 of IPC, in Crime No.726 of 2016.

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.R.Murugan, 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 C.C.No.42 of 2017 pending, even

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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.42 of 2017.

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5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.2500/- (Rupees Two thousand and Five Hundred 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 29.01.2020. 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.42 of 2017, on the file of the learned Judicial Magistrate, Uthamapalayam, Theni 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)

vsg

Encl.: Xerox Copy of Joint Compromise Memo

To

- 1.The Judicial Magistrate,
Uthamapalayam, Theni District
- 2.The Sub Inspector of Police,
Chinnamanur Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.J.ANANDKUMAR, Advocate (SR-3699[F] dated 29/01/2020)

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29.01.2020

MK (12.02.2020) 2P 5C

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