



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2020

CORAM:

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

Crl.O.P.(MD).No.1259 of 2020

1.Rakuman Rajesh
2.Babu
3.Barath ... Petitioners / Accused No. 1 to 3

Vs.

1.State Rep. by,
The Sub Inspector of Police,
Anjugramam Police Station,
Kanyakumari District.
(In Crime No.212 of 2015) ... 1st Respondent / Complainant

2.Mathiyalagan ... 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 impugned Charge Sheet in C.C.No.250 of 2016 pending before the Judicial Magistrate No.III, Nagercoil in Crime No.212 of 2015 dated 01.05.2015 for offence under Sections 294(b) and 506(ii) of IPC on the file of the first respondent and quash the same.

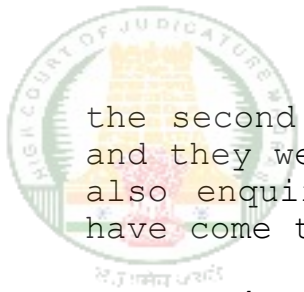
For Petitioners	: Mr.G.Anto Prince
For R1	: Mrs.S.Bharathi
	Government Advocate (Crl. Side)
For R2	: Mr.S.Karuppiah

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.250 of 2016 pending before the Judicial Magistrate No.III, Nagercoil in Crime No.212 of 2015 dated 01.05.2015 for offence under Sections 294(b) and 506(ii) of IPC on the file of the first respondent.

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.M.Yesudhas, 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.250 of 2016 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.250 of 2016.

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 Chief Justice Relief Fund, Madurai Bench of Madras High Court, Madurai, 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.250 of 2016, on the file of the learned Judicial Magistrate No.III, Nagercoil 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)

To

(Encl. Xerox copy of Joint Compromise Memo)

- 1.The Judicial Magistrate No.III,
Nagercoil.
- 2.The Sub Inspector of Police,
Anjugramam Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to:

1. The Section Officer,
Account Section,
Madurai Bench of Madras High Court,
Madurai.
2. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD) .No.1259 of 2020
27.01.2020

vsg
SDS (12.02.2020) 3P-6C