



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2020

CORAM:

WEB COPY

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

Crl.O.P.(MD).No.1444 of 2020

Kumarasamy

... Petitioner/Sole Accused

Vs.

1.State represented by,
The Inspector of Police,
Medical College Police Station,
Tirunelveli District.
(In Crime No.03 of 2019)

... 1st Respondent/Complainant

2.Dr.Seethalakshmi

... 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 Charge Sheet in P.R.C.No.81 of 2019 on the file of the Judicial Magistrate No.1, Tirunelveli and quash the same.

For Petitioners : Mr.M.Maharaja

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 P.R.C.No.81 of 2019 on the file of the learned Judicial Magistrate No.1, Tirunelveli, for the offences punishable under Sections 294(b), 307 and 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.03 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 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.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 P.R.C.No.81 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 P.R.C.No.81 of 2019.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.6000/- (Rupees Six thousand only) as costs to the Credit of Sathiya Ammayar Memorial Government Children Orphanage 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 P.R.C.No.81 of 2019, on the file of the learned Judicial Magistrate No.1, Tirunelveli, 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)

vsg

Encl:

Xerox copy of the Joint Compromise Memo

To

1.The Judicial Magistrate No.1,
Tirunelveli.



2.The Inspector of Police,
Medical College Police Station,
Tirunelveli District.

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

+1 CC to M/s.M.MAHARAJA, Advocate (SR-3982[F] dated 30/01/2020)

CrI.O.P.(MD) .No.1444 of 2020
29.01.2020

JMN(11.02.2020) 3P : 5C