



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.(MD).Nos. 1870 & 1882 of 2020

Crl.O.P.(MD).No. 1870 of 2020

1. Maha Ganesh
2. Maniraj
3. Kitturaj ...Petitioners/A1 to A-3

Vs.

1. State rep by
The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(Crime No. 2 of 2017) ...R-1/Complainant

2. Raja ...R-2/Defacto complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the CC No. 303 of 2018 on the file of the learned District Munsif Cum Judicial Magistrate, Cheranmahadevi and quash the proceedings as against the petitioners herein.

For Petitioners	: Mr.C. Saravanakumar
For R1	: Mr.S.Chandrasekar
	Additional Public Prosecutor
For R2	: Mr.A. Sankararamasubramanian

Crl.O.P.(MD).No. 1882 of 2020

1. Raja
2. Arjunan
3. Esakkipandi ..Petitioners/A1 to A3

Vs.

1.State Rep. by
The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(Crime No. 3 of 2017) ...R-1/Complainant



2. Maha Ganesh

...R-2/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the CC No. 305 of 2018 on the file of the learned District Munsif Cum Judicial Magistrate, Cheranmahadevi and quash the proceedings as against the petitioners herein.

For Petitioners: Mr.Sankararamasubramani

For R1 : Mr.S.Bharathi
Government Advocate (crl. side)

For R2 : Mr.C. Saravanakumar

COMMON ORDER

These Criminal Original Petitions have been filed to quash the proceedings in C.C. Nos. 303 & 305 of 2018 on the file of the learned District Munsif Cum Judicial Magistrate, Cheranmahadevi for the offences under Sections 294(b) and 506(ii) as against the petitioners.

2. The cases are 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 the police officials. 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. Nos. 303 & 305 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.Nos.303 & 305 of 2018.

5. Accordingly, these Criminal Original Petitions are allowed and as a sequel, the proceedings in C.C.Nos.303 & 305 of 2018, on the file of the learned District Munsif-Cum-Judicial



Magistrate, Cheranmahadevi, are quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CRL.SIDE)

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// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Encl:Xerox copy of compromise memo

ksa

To

1. The District Munsif-Cum-Judicial Magistrate,
Cheranmahadevi.
2. The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.C.SARAVANA KUMAR, Advocate (SR-4868[F] dated
05/02/2020)

+1 cc to Mr.A.Sankararamasubramanian, Advocate SR.No.4867

Common Order made in
Crl.O.P. (MD) .Nos. 1870 &
1882 of 2020
05.02.2020

KM/(18.02.2020) 3P 6C