



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) .No.1975 of 2020

1.Basith @ Mohamed Basidh

2.Kather Mydeen

.. Petitioners/A1 & A2

Vs.

1.State represented through

The Inspector of Police,
Melapalayam Police Station,
Tirunelveli City.

(In Crime No.519 of 2016)

... Respondent/Complainant

2.Mydeen Fathima

... Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records of impugned Charge Sheet in C.C.No.137 of 2018 on the file of the learned Judicial Magistrate, Additional Mahila Court, Tirunelveli and quash the same.

For Petitioners

: Mr.I.Sabeer Mohamed

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.137 of 2018 on the file of the learned Judicial Magistrate, Additional Mahila Court, Tirunelveli, for the offences punishable under Sections 147, 294(b), 323 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.519 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 were identified by Mr.V.Thangapandi, SSI of Police.

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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.137 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.No.137 of 2018.

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 Madras High Court Madurai Bench Advocates Clerk's Welfare Association and filed the original cash receipt along with this memo on 05.02.2020. 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.137 of 2018, on the file of the learned Judicial Magistrate, Additional Mahila Court, Tirunelveli, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. The Judicial Magistrate,
Additional Mahila Court, Tirunelveli.
2. The Inspector of Police,
Melapalayam Police Station, Tirunelveli City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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05.02.2020

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