



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.2672 of 2020

Vinothkannan Petitioner/Accused No.5
Vs.

1.State rep by
The Sub Inspector of Police,
Town Police Station,
Devakottai,
Sivagangai District.
(Crime No.1177 of 2012) Respondent/Respondent

2.A.Suresh Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in C.C.No.121 of 2013 pending on the file of the learned Judicial Magistrate, Devakottai and to quash the same in respect of the petitioner/Accused No.5.

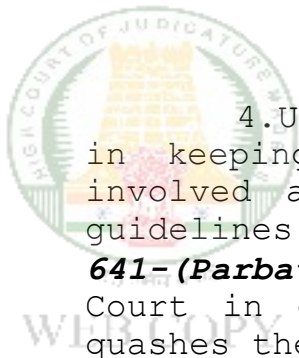
For Petitioner : Mr.K.Prakash
For R1 : Mrs.S.Bharathi,
Government Advocate (Crl Side)
For R2 : Mr.M.P.Yuvaraj

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.121 of 2013 pending on the file of the learned Judicial Magistrate, Devakottai and to quash the same in respect of the petitioner/Accused No.5, for the offences punishable under Sections 147, 294(b), 323 and 506(ii) of IPC, in Crime No.1177 of 2012.

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. In order to identify the respective parties they have also produced the copy of the Aadhaar Card which is made part of the record. 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 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.121 of 2013.

5.It is represented by the learned counsel for the petitioner that the petitioner paid a sum of Rs.5,000/- (Rupees Five thousand only) as costs to the Credit of the M.S.Chellamuthu Trust and Research Foundation, K.K.Nagar, Madurai, and filed the original cash receipt along with this memo on 17.02.2020. 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.121 of 2013, on the file of the learned Judicial Magistrate, Devakottai, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ENCL:XEROX COPY OF JOINT COMPROMISE MEMO

dss

To

1. The learned Judicial Magistrate,
Devakottai.

2.The Sub Inspector of Police,
Town Police Station,
Devakottai,
Sivagangai District.

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

+3 CC to M/s.K.PRAKASH, Advocate (SR-7177[F] dated 19/02/2020)
(SR-6828[F] dated 18/02/2020)

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KK/27.02.2020/2P-7C