



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.02.2020**

CORAM:

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

Crl.O.P.[MD].No.2898 of 2020

WEB COPY

1.Azhagianambi

2.Vanumamalai

: Petitioners/Accused 1 & 2

Vs.

1.The State

by The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.

: 1st Respondent / Complainant

2.Sivan

: 2nd Respondent / PW-1

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to C.C.No.396 of 2019, on the file of the Judicial Magistrate, Nanguneri and quash the same.

For Petitioners : Mr.D.Venkatesh

For R-1 : Mrs.S.Bharathi

Government Advocate (Crl. side)

For R-2 : Mr.T.Leninkumar

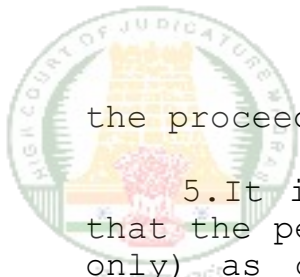
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.396 of 2019, on the file of the learned Judicial Magistrate, Nanguneri, for the offences punishable under Sections 294(b), 323 and 506(2) of IPC, in Crime No.312 of 2018.

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.R.Jeyapandi Selvin, 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 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes



the proceedings in C.C.No.396 of 2019.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.3,000/- (Rupees Three thousand only) as costs to the Credit of the Sathiya Ammaiya Orphanage, Thangam Road, Near Gandhi Museum, Madurai and filed the original cash receipt along with this memo on 19.02.2020. 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.396 of 2019, on the file of the learned Judicial Magistrate, Nanguneri, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Encl: Xerox copy of Joint Compromise Memo

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To

1.The Judicial Magistrate, Nanguneri.

2.The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.

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

+1 CC to M/s.D.VENKATESH, Advocate (SR-7137[F] dated 19/02/2020)

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19.02.2020

SMA/04/03/2020/2P/5C