



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**
Crl.O.P.[MD].No.3040 of 2020

WEB COPY

1.Subramanian @ Subramani
2.Nambirajan
3.Babu
4.Kanagasudan @ Kanagasubramanian
5.Subash
6.Stalinmani
7.Mahesh
8.Baby Sahila
9.Muthulakshmi : Petitioners/Accused Nos.1 to 9
Vs.

1.The State Rep. by
The Inspector of Police,
Thirukurangudi Police Station,
Tirunelveli District.
(Crime No.95 of 2014) :1st Respondent/Complainant

2.Kasilingam :2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the charge sheet in C.C.No.326 of 2015, on the file of the Judicial Magistrate, Valliyoor and quash the same.

For Petitioners : Mr.C.Susikumar

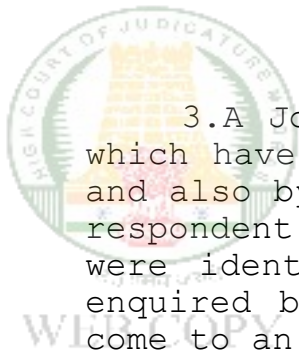
For R-1 : Mrs.S.Bharathi
Government Advocate (Crl. side)

For R-2 : Mr.R.Maheswaran

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.326 of 2015, pending on the file of the Judicial Magistrate, Valliyoor, for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 355 and 506(ii) of IPC.

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.E.Sivakumar, SI 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.326 of 2015.

5.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.10,000/- (Rupees Ten thousand only) as costs to the Credit of Hands of Compassion, 8/262, Ayathampatti, Alagarkovil, Madurai and filed the original cash receipt along with this memo on 20.02.2020. 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.326 of 2015, on the file of the Judicial Magistrate, Valliyoor, 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)

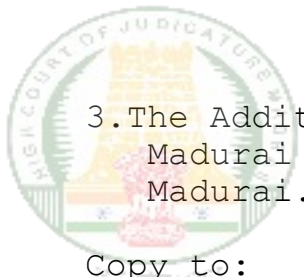
ENCL : Xerox copy of Joint Compromise Memo.

Sji

To

1.The Judicial Magistrate, Valliyoor.

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



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

Copy to:

The Officer Incharge,
Hands of Compassion,
8/262 Ayampatti,
Alagarkovil, Madurai.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-7692[F] dated 21/02/2020)

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20.02.2020

sjj

KK/06.03.2020/3P-6C