



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2020

CORAM:

WEB COPY

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**Crl.O.P. (MD) No. 3685 of 2020

1. C. Subash
2. R. Perumal
3. R. Selvam @ Panni Selvam
4. A. Nagalingam
5. M. Satheesh @ Suresh
6. D. Prince
7. K. Ashock

: Petitioners/A1 to A7

Vs.

1. State : Sub Inspector of Police
Kanyakumari Police Station,
Kanyakumari District
Crime No. 499 of 2015

: R1/Complainant

2. P. Baskar

: R-2/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to quash proceedings in C.C. No. 138 of 2018 on the file of the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District.

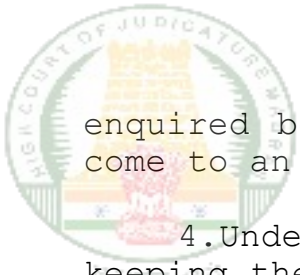
For Petitioners : Mr.Ka. Raamakrishnan
For R1 : Mrs.S.Bharathi,
Government Advocate (crl. Side)
For R2 : M/s.A. Banumathy

ORDER

This Criminal Original Petition has been filed to quash proceedings in C.C. No. 138 of 2018 on the file of the learned Judicial Magistrate No.I, Kanyakumari District for the offences under Sections 147, 294(b), 323 & 506(i) 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.T.M. Gandhi, 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 in C.C.No. 138 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.138 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 DT. SIDDHA MEDICAL OFFICER, CCRI and filed the original cash receipt along with this memo on 28.02.2020. 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.138 of 2018, on the file of the learned Judicial Magistrate No.I, Nagercoil is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Ksa

Encl: Xerox Copy of Joint Compromise Memo

To

1. The Judicial Magistrate No.I, Nagercoil.
2. The Sub-Inspector of Police
Kanyakumari Police Station,
Kanyakumari District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.KA.RAMAKRISHNAN, Advocate(SR-9496[F] dated 02/03/2020)
CrI.O.P.(MD)No. 3685 of 2020

28.02.2020

VB (17.06.2020) 2P 5C