



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2020

CORAM:

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

Crl.O.P. (MD) No.3588 of 2020

1.Govindaraj
2.Renganathan
3.Natarajan
4.Radhakrishnan

... Petitioners

Vs.

1.State Rep.by
The Inspector of Police,
Thiruvidaimaruthur Police Station,
Thanjavur District.
(Crime No.46 of 2017)

2.Arumugam

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 Cr.P.C., to call for the records in C.C.No.724 of 2019 on the file of the learned District Munsif Cum Judicial Magistrate, Thiruvidaimaruthur, Thanjavur District and quash the charge sheet as far as the petitioners herein.

For Petitioners: Mr.A.Thiruvadi Kumar

For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor

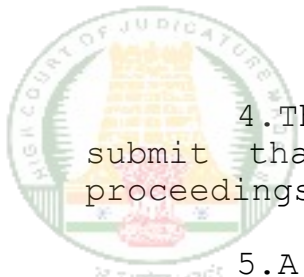
For R2 : Mr.S.Vinayak

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.724 of 2019, on the file of the learned District Munsif Cum Judicial Magistrate, Thiruvidaimaruthur, Thanjavur District, for the offences punishable under Section 379 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.The defacto complainant is present before this Court. He would submit that though only accused Nos.1 to 3 and 5 are present before this Court and A4 is not present before this Court, he has no objections in the case being quashed in respect of all the accused in C.C.No.724 of 2019.



4.The learned counsel for the defacto complainant would submit that no useful purpose would be served by keeping the proceedings pending against the accused persons.

5.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 Mrs.C.Parvathi, Woman Police Constable. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6.Under such circumstances, no useful purpose will be served in keeping the proceedings in C.C.No. 724 of 2019 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. 724 of 2019.

7.It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.3000/- (Rupees Three thousand only) as costs to the Credit of the District Siddha Medical Officer, CCRI, Periyakulam and filed the original cash receipt along with this memo on 27.02.2020. The said submission is placed on record.

8.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.724 of 2019, on the file of the learned District Munsif Cum Judicial Magistrate, Thiruvidaimaruthur, Thanjavur District, is quashed in respect of all accused persons and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Encl: Xerox copy of Joint Compromise Memo

To

1.The District Munsif Cum Judicial Magistrate,
Thiruvidaimaruthur, Thanjavur District.



2. The Inspector of Police,
Thiruvidaimaruthur Police Station, Thanjavur District.

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

+1 CC to Mr.A.THIRUVADI KUMAR, Advocate (SR-8966[F] dated
27/02/2020)

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27.02.2020

VB (17.06.2020) 3P 5C