



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.09.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

Crl.O.P.(MD)No.10448 of 2020

1.P.Senthil Kumar

2.Ponnalagu

... Petitioners/Accused No.1 &

Vs.

1.State represented by

The Inspector of Police,
Palamedu Police Station,
Madurai District.

... 1st Respondent/Complainant

(In Crime No.129 of 2017)

2.P.Sivaneshwari

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the original Charge Sheet in C.C.No.65 of 2019 on the file of the learned Judicial Magistrate, Vadipatti, Madurai District and quash the same as illegal.

For Petitioners : Mr.C.M.Arumugam

For R1 : Mr.R.Erottuchamy

Government Advocate (Crl. side)

For R2 : Mr.M.Palani Kumar

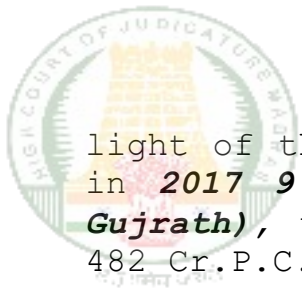
O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.65 of 2019 pending on the file of the learned Judicial Magistrate, Vadipatti, Madurai District

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 through video conferencing and they were identified by Mr.Ganesan, Sub Inspector of Police, Palamedu Police Station, Madurai District. 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.65 of 2019 pending. Furthermore, the offences involved are not compoundable in nature. Hence, 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.65 of 2019.

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5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.65 of 2019, on the file of the learned Judicial Magistrate, Vadipatti, Madurai District, 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)

cp

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Judicial Magistrate,
Vadipatti, Madurai District
- 2.The Inspector of Police,
Palamedu Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.[MD]No.10448 of 2020
28.09.2020

AL(CO)

KB(30.09.2020) 2P 4C