



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.10.2020**

CORAM:

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

Crl.O.P. (MD)No.10721 of 2020

WEB COPY

John Thinagar @ sandrar

... Petitioner /Sole Accused

Vs.

1.The State Rep. by
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
(In Crime No.26 of 2018)

... 1st Respondent/Complainant

2.Jesuvadiyan

...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 impugned Charge Sheet in C.C.No.401 of 2018 on the file of the learned Judicial Magistrate Court No.I, Tirunelveli, Tirunelveli District and quash the same.

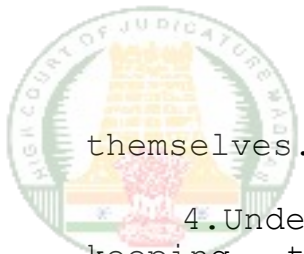
For Petitioner	:	Mr.Aayiram K.Selvakumar
For R1	:	Mr.R.Erottuchamy Government Advocate (Crl. side)
For R2	:	Mr.N.Marimuth

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.401 of 2018 pending on the file of the learned Judicial Magistrate No.I, Tirunelveli, Tirunelveli 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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court through video conferencing and they were identified by Mr.Mohamed Ibrahim, Sub Inspector of Police, Palayamkottai Police Station, Tirunelveli City. 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.401 of 2018 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.401 of 2018.

5.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.401 of 2018, on the file of the learned Judicial Magistrate No.I, Tirunelveli, Tirunelveli District, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// 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.

Encl : Xerox Copy of the Joint Compromise memo

To

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

CrI.O.P.[MD]No.10721 of 2020
01.10.2020

SJ(CO)

<https://hcs.courts.gov.in/Services/SP> 4C