



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.01.2020
CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.19434 of 2019
and

Crl.M.P. (MD) .Nos.728 and 11409 of 2019

1.Ramkumar
2.Pattan

... Petitioners/Accused No.1&2

Vs.

1.State rep. by,
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
(crime No.799 of 2017)

... 1st Respondent/Complainant

2.Alphonsa

... 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.25 of 2018 on the file of the Judicial Magistrate (Additional Mahila), Tirunelveli and quash the same.

For Petitioners : Mr.R.J.Karthick
For R1 : Mrs.S.Bharathi
Government Advocate (Crl. Side)
For R2 : Mr.V.Rajiv Rufus

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.25 of 2018 on the file of the Judicial Magistrate (Additional Mahila), Tirunelveli, for the offences punishable under Sections 341, 294(b) and 352 of IPC and 4 of the Tamilnadu Prohibition of Harassment of Women Act, 2002, in Crime No.799 of 2017.

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.G.Mohammed Ibrahim, 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.25 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.25 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 Hands of Compassion and filed the original cash receipt along with this memo on 30.01.2020. 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.25 of 2018 on the file of the learned Judicial Magistrate (Additional Mahila), Tirunelveli, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, the connected Crl.M.P.(MD). Nos.728 and 11409 of 2019 are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Vsg

Encl.: Xerox copy of Joint Compromise Memo

To

- 1.The Judicial Magistrate
(Additional Mahila),
Tirunelveli.
- 2.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



+1 CC to Mr.V.RAJIV RUFUS, Advocate (SR-4195[F] dated 31/01/2020)

Crl.O.P.(MD).No.19434 of 2019
30.01.2020

MK (12.02.2020) 3P 5C

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