



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.19479 of 2019

and

Crl.MP (MD) Nos.11428 & 11429 of 2019

WEB COPY

Meffi Jennis

..Petitioner/Sole Accused
Vs.

1.The State rep by

The Inspector of Police,
Kaliyakavilai Police Station,
Kanyakumari District.
(Crime No.78 of 2018)

..1st Respondent/Complainant

2.Merlin Nalatha

.. 2nd Respondent/Defacto
Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the proceedings in C.C.No.275 of 2018 pending on the file of Judicial Magistrate No.I, Kuzhithurai and to quash the same as against the petitioner is concerned.

For Petitioner : Mr.T.Jeen Joseph
For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor
For R2 : Mr.S.C.Herold Singh

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.275 of 2018 pending on the file of Judicial Magsitrate No.I, Kuzhithurai, for the offences punishable under Sections 147, 448, 427, 324 and 506 (ii) IPC, in Crime No.78 of 2018.

2.The case is under trial. The petitioner and the second respondent are daughter and mother. 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 and they were identified by M.Paulmani, Special Sub Inspector 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.275 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.275 of 2018.

5.It is represented by the learned counsel for the petitioner that the petitioner paid a sum of Rs.5,000/-(Rupees Five thousand only) as costs to the Credit of the 'Anbagam', (Institution for the Mentally Handicapped Children), Race Course Road, Madurai, and filed the original cash receipt along with this memo on 10.01.2020. 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.275 of 2018 pending on the file of the learned Judicial Magsitrate No.I, Kuzhithurai, 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-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Encl: Xerox copy of Joint Compromise Memo
dss
To

1.The Judicial Magsitrate No.I,
Kuzhithurai.

2.The Inspector of Police,
Kaliyakavilai Police Station,
Kanyakumari District.

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

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-1698[F]

Crl.O.P. (MD) .No.19479 of 2019
10.01.2020

SMA/28/01/2020/2P/5C

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