



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P. (MD) .No.19406 of 2019

Alex Kumar

..Petitioner/A2

Vs.

1. The State rep. by
The Sub-Inspector of Police,
Railway Police Station,
Tenkasi, Tirunelveli District.
Crime No. 2 of 2019. ... 1st Respondent/Complainant

2. Vanish ... 2nd Respondents/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. 309 of 2019 on the file of the learned Judicial Magistrate, Tenkasi and to quash the same.

For Petitioner : Mr.K.P. Narayanakumar

For R1 : Mrs.S.Bharathi
Government Advocate (Crl. side)

For R2 : Mr.A. Balakrishnan

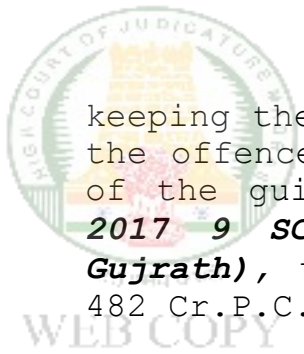
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No. 309 of 2019, on the file of the learned Judicial Magistrate, Tenkasi, for the offences punishable under Sections 147, 148, 341, 294(b), 324 and 506(2) of IPC, in Crime No.2 of 2019.

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 and they were identified by Mr.I. John, Sub- Inspector Police. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. In the present circumstances, no useful purpose will be served in



keeping the proceedings in C.C.No. 309 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.309 of 2019.

5.It is represented by the learned counsel for the petitioner that the petitioner paid a sum of Rs.5000/-(Rupees Five Thousand only) as costs to the Credit of the Chief Justice Relief Fund and filed the original cash receipt along with this memo on 09.01.2020. 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. 309 of 2019, on the file of the learned Judicial Magistrate, Tenkasi, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ksa

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1. The Judicial Magistrate, Tenkasi.
2. The Sub-Inspector of Police, Railway Police Station, Tenkasi, Tirunelveli District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

copy to

The Section Officer,Accounts Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.P.NARAYANAKUMAR, Advocate (SR-1195[F] dated 09/01/2020)

Crl.O.P. (MD) .No.19406 of 2019
09.01.2020

SCr(CO)

TR(10.01.2020)2P 6C