



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD).No.3368 of 2022
and Crl.M.P(MD) No.2501 of 2022

1. Manikandan
2. Arjunan
3. Jeyakumar
4. Dharmalingam

... Petitioners/Accused 1 to 4
Vs.

- 1.State rep. by
The Inspector of Police,
Thuckalay Police Station
Kanyakumari District

...1st Respondent/Complainant

- 2.Srikrishnan

...2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in CC No.504 of 2019 on the file of the learned Judicial Magistrate No.I at Padmanabhapuram, Kanyakumari District and quash the same.

For Petitioners : Mrs.L.Victoria Gowri

For R-1 : Mr.Anbunithi
Additional Public Prosecutor

For R-2 : Mr.S.Seenivasan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC No.504 of 2019 on the file of the learned Judicial Magistrate No.I at Padmanabhapuram, Kanyakumar 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 has been signed by the petitioners and the second respondent and also by their respective counsel.



4. Under such circumstances, no useful purpose will be served in keeping the proceedings in CC No.504 of 2019 on the file of the learned Judicial Magistrate No.I at Padmanabhapuram, Kanyakumari District 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 C.C.No.504 of 2019

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No.504 of 2019 on the file of the learned Judicial Magistrate No.I at Padmanabhapuram, Kanyakumari District is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5000/- (Rupees Five Thousand only) as costs, to the High Court Legal Services Authority, Madurai Bench of Madras High Court, Madurai, on or before 22.02.2022. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (As)

// True Copy //

18/02/2022

Sub Assistant Registrar(CS)

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Encl: Photocopy of Compromise Memo attached.

To

- 1.The Judicial Magistrate No.I at Padmanabhapuram,
Kanyakumari District
- 2.The Inspector of Police,
Thuckalay Police Station
Kanyakumari District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 4.The Officer in Charge,
High Court Legal Services Authority,
Madurai Bench of Madras High Court, Madurai

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