



Crl.O.P.(MD).No.1556 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

**Crl.O.P.(MD).No.1556 of 2023
and
Crl.M.P.(MD)Nos.1329 and 1330 of 2023**

**Sajin : Petitioner
Vs.**

**1.The State Rep. by
The Inspector of Police,
Vadasery Police Station,
Kanyakumari District.
(Crime No.466 of 2020)**

2.Mr.S.Krishnan : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the charge sheet in C.C.No.103 of 2021 on the file of the learned Judicial Magistrate No.II at Nagercoil and quash the same as against the petitioner/accused herein.

**For Petitioner : Mr.G.M.Gokul Ram
For R-1 : Mr.M.Muthumanickam
Government Advocate (Crl. side)
For R-2 : Mr.T.Eashwar**



Crl.O.P.(MD).No.1556 of 2023

WEB COPY

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.103 of 2021, pending on the file of the learned Judicial Magistrate No.II at Nagercoil, for the offences punishable under Sections 294(b), 324 and 506(2) of IPC in Crime No.466 of 2020.

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.C.K.Asohan SSI of Police, Vadasery Police Station, Kanyakumari District. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



Crl.O.P.(MD).No.1556 of 2023

WEB COPY

4.Under such circumstances, no useful purpose will be served in keeping the proceedings 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.103 of 2021.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.103 of 2021, on the file of the learned Judicial Magistrate No.II at Nagercoil, is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed. The petitioner shall pay a sum of Rs.5,000/- as costs, to the credit of **Rojavanam, Home for aged and poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai**, on or before 19.02.2023 and file a photocopy of the receipt along with a memo before this Court on 20.02.2023.



WEB COPY



Crl.O.P.(MD).No.1556 of 2023

6.Post the matter “for reporting compliance” on 20.02.2023.

27.01.2023

NCC: Yes/No
Index : Yes/No
Internet : Yes/No
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To

- 1.The Judicial Magistrate No.II at Nagercoil.
- 2.The Inspector of Police,
Vadasery Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.

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