

?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

%DATED: 21.03.2019

*CORAM

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

+CrI.O.P.(MD)Nos.4247 of 2019

and 4248 and of 2019

In CrI.O.P(MD)No.4247 of 2019:

#1.Murali

2.Sugumar

3.Sugavelan

: Petitioners / Accused Nos.1 to 3

Vs.

\$1.The State

By the Inspector of Police,

Moondradaippu Police Station,

Tirunelveli District.

: 1st Respondent / Complainant

2.Sri Ramakrishnan : 2nd Respondent / Defacto

Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No.424 of 2018 by the Judicial Magistrate, Nanguneri in so far as the petitioner is concerned and quash the same.

!For Petitioners : Mr.D.Venkatesh

^For R~1 : Mr.V.Neelakandan,

Additional Public Prosecutor.

For R~2 : Mr.T.Lenin Kumar

In CrI.O.P(MD)No.4248 of 2019:

Sri Ramakrishnan : Petitioner / Sole Accused

Vs.

1.The State

By the Inspector of Police,

Moondradaippu Police Station,

Tirunelveli District.

: 1st Respondent / Complainant

2.Sri Ramakrishnan : 2nd Respondent / Defacto

Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No.122 of 2018 on the file of the Judicial Magistrate, Nanguneri and quash the same.

For Petitioners : Mr.T.Lenin Kumar

For R~1 : Mr.V.Neelakandan,
Additional Public Prosecutor.

For R~2 : Mr.D.Venkatesh

C O M M O N O R D E R

The Criminal Original Petitions have been filed to quash the proceedings in C.C.No.122 of 2018 and C.C.No.424 of 2018 on the file of the Judicial Magistrate, Nanguneri, for the alleged offences under Sections 324 and 506(ii) IPC and Sections 294(b), 323 and 506(ii) IPC respectively. The offences are chiefly private in nature.

2.Both cases are case and counter. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3.A Joint Memos of Compromise have been filed before this Court, which have been signed by the parties and also by their respective counsel. The parties were also present in person before this Court and they were identified by the police attached to the first respondent. 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 pending, even though, the offence involved is not compoundable in nature. In the light of the guidelines given by the Hon-ble Supreme Court reported in the State of Madhya Pradesh Vs. Laxmi Narayan & Others [CDJ 2019 SC 264] and Parbathbhai Aahir @ Parbathbhai Vs. State of Guj Rath [(2017) 9 SCC 641], this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.NO.122 of 2018 and C.C.No.424 of 2018 on the file of the Judicial Magistrate, Nanguneri,

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.NO.122 of 2018 and C.C.No.424 of 2018 on the file of the Judicial Magistrate, Nanguneri, are 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.500/~, each as costs, to the credit of the ?District Siddha Medical Officer, CCRI, Periyakulam? (payable in Account No.10767823177, SBI, Periyakulam), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

To

1.The Inspector of Police,
Moondradaippu Police Station,
Tirunelveli District.

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

