



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P(MD)No.5192 of 2019

WEB COPY

G.Karthick Raja

... Petitioner/Sole Accused

Vs.

1. The State through,
The Sub Inspector of Police,
Checkanurani Police Station,
Madurai District.

(In Crime No.24 of 2019)

... 1st Respondent/Complainant

2. Senthil

...2nd Respondent//De-facto
Complainant

PRAYER:- Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the proceedings of Crime No.24 of 2019 pending on the file of 1st respondent herein and to quash the same.

For Petitioner	: Mr.A.G.Senthilkumar
For R1	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate (Crl.side)
For R2	: Mr.S.Loganathan

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the proceedings of Crime No.24 of 2019 pending on the file of 1st respondent herein and to quash the same.

2. Heard Mr.A.G.Senthilkumar, learned counsel appearing for the petitioner and Mr.A.P.G.Ohm Chairma Prabhu, learned Government Advocate appearing for the first respondent and Mr.S.Loganathan, learned counsel appearing for the second respondent.

3. The case of the prosecution is that the petitioner is the son-in-law of the defacto complainant. There was a wordy quarrel between the petitioner and the defacto complainant with regard to matrimonial dispute. The petitioner attacked the defacto complainant with stick and sustained blood injuries. Further, he snatched the gold chain. Hence, the defacto complainant lodged a complaint against the petitioner before the respondent police. The respondent police registered a case in Crime No.24 of 2019 for the offences under Section 341, 294 (b), 324 and 379 of IPC.

4. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



5. 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. In order to identify the respective parties they have also produced the copy of the Aadhaar Card which is made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. The learned Government Advocate (Crl.Side) appearing for the respondent police has no objection and identified the parties, who appeared before this Court.

7. Under such circumstances, no useful purpose will be served in keeping the investigation 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 Crime No.24 of 2019.

8.This Criminal Original Petition stands allowed and as a sequel, the case in Crime No.24 of 2019 pending before the respondent police is quashed. The petitioner shall pay a sum of Rs.1,000/- as costs, to the credit of the "Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry, Madurai Bench) within a period of two weeks 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.

sd/
Assistant Registrar(crl. side)

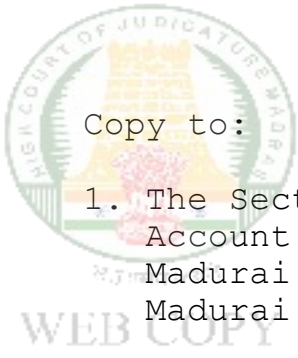
/True Copy/

Sub Assistant Registrar

Encl.:Xerox Copy of Joint Comprmise Memo

To

1. The Sub Inspector of Police,
Checkanurani Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to:

1. The Section Officer,
Account Section,
Madurai Bench of Madras High Court,
Madurai
2. The Section Officer,
Criminal Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai

+1 CC to Mr.A.G.SENTHIL KUMAR, Advocate (SR-59782[F] dated
09/04/2019)

Cr1.O.P(MD)No.5192 of 2019
08.04.2019

vsd/dss

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