



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Cr1.O.P. [MD] .No.17983 of 2019

and

Cr1.M.P. [MD] .Nos.10696 and 10697 of 2019

Karthick @ Kartheeswaran : Petitioner/Sole Accused
Vs.

1.The Deputy Superintendent of Police,
Thirumangalam, Madurai District.

2.The Sub-Inspector of Police,
Kallikudi Police Station,
Thirumangalam Taluk,
Madurai District.
Crime No.158 of 2015.

... Respondent 1 & 2/Complainant

3.M.Thirunavukarasan ... Respondent No.3/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in connection with the impugned charge sheet in J.C.No.59 of 2018, pending on the file of the learned Judicial Magistrate No.III, (Juvenile Justice Board), Madurai and quash the same.

For Petitioner : Mr.R.Balakrishnan

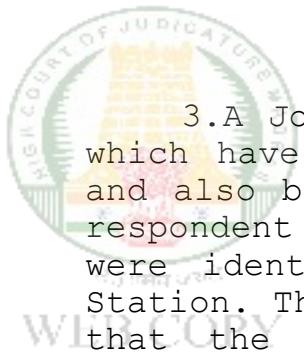
For R1 and R2 : Mr.S.Chandrasekar
Government Advocate (Cr1. side)

For R3 : Mr.M.Prabhu

ORDER

This Criminal Original Petition has been filed to quash the Charge Sheet in J.C.No.59 of 2018, pending on the file of the learned Judicial Magistrate No.III, (Juvenile Justice Board), Madurai, for the offences punishable under Sections 147, 323 IPC r/w Section 3(1)(X) SC/ST Act.

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 third respondent and also by their respective counsel. The petitioner and the third respondent were also present in person before this Court and they were identified by Mrs.M.Murugeswari, WHC 1635, Kallikudi Police Station. 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 Charge Sheet in J.C.No.59 of 2018 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the charge sheet in J.C.No.59 of 2018.

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 Madras High Court Madurai Bench Advocates Clerk's Welfare Association, Madurai Bench High Court Building, Chamber No.33, Ulaganeri, Madurai and filed the original cash receipt along with this memo on 20.12.2019. The said submission is placed on record.

6.Accordingly, this Criminal Original Petition stands allowed and as a sequel, the Charge Sheet in J.C.No.59 of 2018, on the file of the learned Judicial Magistrate No.III, (Juvenile Justice Board), Madurai, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

1.The Judicial Magistrate No.III,
(Juvenile Justice Board), Madurai.

2.The Deputy Superintendent of Police,
Thirumangalam, Madurai District.



3.The Sub-Inspector of Police,
Kallikudi Police Station,
Thirumangalam Taluk,
Madurai District.

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

+1 CC to M/s.R.BALAKRISHNAN, Advocate (SR-106280[F] dated
20/12/2019)

Cr1.O.P. [MD].No.17983 of 2019
20.12.2019

GRL(CO)
TR(24.01.2020)3P 6C