



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

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

Crl.O.P. (MD)No.17930 of 2019

WEB COPY

- 1.Veerapandian
- 2.Alagarsamy
- 3.Karthikeyan
- 4.Senthil Kumar ...Petitioners/Accused 1 to 4
-Vs-
- 1.The State Rep by its
The Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.584 of 2017) ... 1stRespondent/Complainant
- 2.Niranjan Kumar ... 2nd Respondent/Defacto
Complainant
- 3.Ajith Kumar ... 3rd Respondent/Victim

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records in relating to the impugned charge sheet in P.R.C.No.12 of 2019 on the file of the learned Judicial Magistrate, Periyakulam and to quash the same.

For Petitioners	: Mr.M.S.Jeyakarthik
For R1	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl.Side)
For R2 & 3	: Mr.C.Bethanasamy

O R D E R

This Criminal Original Petition has been filed to quash the impugned charge sheet in P.R.C.No.12 of 2019 on the file of the learned Judicial Magistrate, Periyakulam.

2.The case is still at the stage of 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 petitioners and the second respondent



and also by their respective counsel. The petitioners and the respondents 2 & 3 were also present in person before this Court and they were identified by Mr.T.Marimuthu, Special Sub-Inspector. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

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4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending before the respondent police. 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the impugned charge sheet in P.R.C.No.12 of 2019 on the file of the learned Judicial Magistrate, Periyakulam.

5. It is represented by the learned counsel for the petitioners that the petitioners paid a sum of Rs.5000/- (Rupees Five Thousand only) as costs to the Credit of the Chief Justice Relief Fund (Payable in Accounts Section of the High Court Registry) and filed the original cash receipt along with this memo on 29.11.2019. The said submission is placed on record.

6. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the impugned charge sheet in P.R.C.No.12 of 2019 on the file of the learned Judicial Magistrate, Periyakulam, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

Sub Assistant Registrar(CS)

dss

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

To

- 1.The Judicial Magistrate,
Periyakulam.
- 2.The Inspector of Police,
Thenkarai Police Station,
Theni District.



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

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+1 CC to M/s.M.S. JEYAKATHIK, Advocate (SR-102759[F] dated
29/11/2019)

Cr1.O.P. (MD)No.17930 of 2019
29.11.2019

GKG (CO)
TR (06.01.2020) 3P 5C