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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

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

Crl.O.P.(MD) No.778 of 2022
and Crl.M.P(MD) Nos.562 and 563 of 2022

1. A.MalarMannan Madasamy
2. M.Samprakash
3. M.Abishek Samuel ...Petitioners/Accused Nos.1 to 3

Vs.

1. State Rep. by
The Inspector of Police
Panavadalichatram Police Station
Tirunelveli - 627953
(Cr.No.210 of 2018) ... 1st Respondent / Complainant
2. V.Vasanthi ... 2nd Respondents / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to Charge sheet filed in C.C.No. 119 of 2020 on the file of Learned Judicial Magistrate Court at Sankarankovil and quash the same.

For Petitioners : M/s.T.Sundaravadanam

For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

For Respondent No.2: T.Antony ArulRaj.

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No. 119 of 2020 on the file of Learned Judicial Magistrate, Sankarankovil.

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 has been signed by the petitioners and the second respondent and also by their respective counsel. The parties were present



before this Court and they were identified by their respective counsels.

4. Under such circumstances, no useful purpose will be served in keeping the C.C.No. 119 of 2020 on the file of learned Judicial Magistrate, Sankarankovi, 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 charge sheet in C.C.No. 119 of 2020.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No. 119 of 2020 on the file of Learned Judicial Magistrate, Sankarankovi, is 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.5,000/- (Rupees Five Thousand only) as costs, to the District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before on or before 09.03.2022 and produce the receipt before the concerned court, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Encl.: xerox copy of joint compromise memo.

To

1. The Judicial Magistrate, Sankarankovil
2. The Inspector of Police
Panavadalichatram Police Station
Tirunelveli - 627953
3. The District Siddha Medical Officer,
CCRI, Periyakulam.



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

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