



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.1352 of 2022

and

Crl.M.P(MD)Nos.1006 and 1007 of 2022

A.Vigneshkumar @ Vikki

... Petitioner/Accused No.2

Vs.

1.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Cr.No.490 of 2019)

...1st Respondents/Complainant

2.A.Sarathkumar

...2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the impugned order in STC.No.842 of 2021 on the file of Judicial Magistrate, Paramakudi and quash the same as far as the petitioner is concerned.

For Petitioners : Mr.S.Ramsundarvijayraj
For R1 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

For R2 : Mr.P.Sarathkumar

ORDER

This Criminal Original Petition has been filed to quash the proceedings as against the petitioner in S.T.C.No.842 of 2021 on the file of learned Judicial Magistrate, Paramakudi.

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 second respondent and also by their respective counsel.



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 proceedings in S.T.C.No.842 of 2021 on the file of learned Judicial Magistrate, Paramakudi.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.T.C.No.842 of 2021 on the file of learned Judicial Magistrate, Paramakudi, is quashed insofar as the petitioner alone and the terms of joint compromise memo 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 credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) on or before 05.05.2022 and the receipt of payment shall be produced before the concerned Court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

Encl.: xerox copy of Joint Compromise memo.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judicial Magistrate,
Paramakudi.

2.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

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



Copy to

The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department, Government of Tamil Nadu,
Secretariat, Chennai 600 009.

+1 CC to M/s.S. RAMSUNDARVIJAYRAJ, Advocate (SR-21772[F] dated
27/04/2022)

Crl.O.P(MD)No.1352 of 2022

and

Crl.M.P(MD)Nos.1006 and 1007 of 2022

27.04.2022

(CO)

TR(29.04.2022) 3P 6C