



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.O.P.(MD).No.1180 of 2022

1.Karthick @ Dora Karthick
(Wrongly mentioned as Karthick @ Dora Karthick
instead of Karthick in final report)

2.Ibrahim @ Syed Ibrahim
(Wrongly mentioned as Ibrahim
instead of Syed Ibrahim in final report)

3.Sathiya

4.Hakkim

...Petitioners/
Accused Nos.1 to 4

Vs.

1.State rep. by
The Inspector of Police,
South Gate Police Station,
Madurai.
(Crime No.22 of 2019)

...1st Respondent/
Complainant

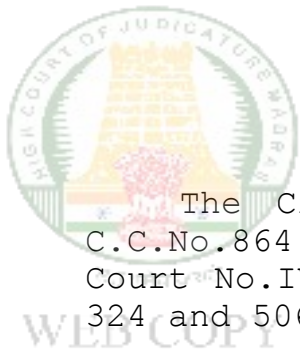
2.Azarudeen
3.Nijamdeen
4.Dhaheer Arsath @ Tharik
(Wrongly mentioned as Tharik
instead of Dhaheer Arsath in final report)

...2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to impugned charge sheet filed in C.C.No.864 of 2021 on the file of the learned Judicial Magistrate Court No.IV, and to quash the same as illegal.

For Petitioners : Mr.R.Karunanidhi

For R-1 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

**ORDER**

The Criminal Original Petition has been filed to quash the C.C.No.864 of 2021 on the file of the learned Judicial Magistrate Court No.IV, Madurai for an alleged offences under Sections 326, 324 and 506(2) of IPC.

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 petitioners 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No.864 of 2021 pending on the file of the **first respondent police**.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.864 of 2021 on the file of the learned Judicial Magistrate Court No.IV, Madurai, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5000/- (Rupees Five Thousand only) as costs, to the High Court Legal Services Authority, Madurai Bench of Madras High Court, Madurai, on or before 16.02.2022.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Encl:- Photocopy of Joint Compromise Memo Enclosed.

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 Court No.IV,
Madurai.

2.The Inspector of Police,
South Gate Police Station,
Madurai.

3.The Officer in Charge,
High Court Legal Services Authority,
Madurai Bench of Madras High Court, Madurai

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

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-5529[F] dated 11/02/2022)
Crl.O.P.(MD) .No.1180 of 2022
10.02.2022

MGJ(15.02.2022) 3P 6C