



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.1338 of 2022

WEB COPY

1.Pandi
2.Arumugam
3.Dhinesh

... Petitioners/Accused Nos.1 to 3

Vs.

1.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

... 1st Respondent/Complainant

2.Nithiya

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in connection with charge sheet in C.C.No.50 of 2021 on the file of the Judicial Magistrate, Additional Mahila Court, Ramanathapuram and to quash the same in respect of the petitioners.

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

For R - 2 : Mr.S.Pradeep

ORDER

The Criminal Original Petition has been filed to quash the proceedings as against the petitioners/Accused Nos.1 to 3 in C.C.No.50 of 2021 on the file of the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram in connection with the case in Crime No.217 of 2017 on the file of the first respondent for the alleged offences under Sections 294(b) and 323 of I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002.

2. The case is under investigation. 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.



4. Under such circumstances, no useful purpose will be served in keeping the proceedings in C.C.No.50 of 2021 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram, 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 C.C.No.50 of 2021.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.50 of 2021 pending on the file of the learned Judicial Magistrate, Additional Mahila Court, Ramanathapuram 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 High Court Legal Services Authority, Madurai Bench of Madras High Court, Madurai, on or before 16.02.2022.

Sd/-

Assistant Registrar(CS-)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

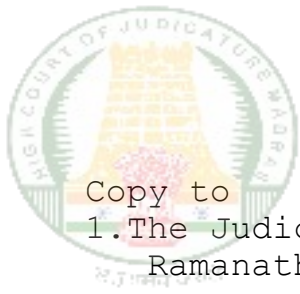
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ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

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 Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to

1.The Judicial Magistrate/Additional Mahila court,
Ramanathapuram.

WEB COPY

2. The Officer Incharge,
High Court Legal Services Authority,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.B.ARUN, Advocate (SR-6144[F] dated 15/02/2022)

Order made in
CrI.O.P (MD) No.1338 of 2022
14.02.2022

svn(CO)

TR(15.02.2022) 3P 6C