



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) . No.1677 of 2022

and CrI.M.P(MD)Nos.1215 & 1216 of 2022

Karthick @ Karthikeyan

... Petitioner/Sole Accused

Vs

1. The State represented by
The Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District,
In Crime No.2 of 2012. ... 1st Respondent / Complainant
2. Murugan @ Murutganantham ... 2nd Respondent /
Defacto complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to the S.C.No.112 of 2021 on the file of the Learned Assistant Sessions Judge (Sub Court), Pattukkottai, Thanjavur District and quash the proceedings as against the petitioner herein.

For petitioner : Mr.S.Deenadhayalan

For Respondent : Mr.B.Thanga Aravindh

R1

Government Advocate (Criminal Side)

R2

: Mr.K.G.Arunkumar

ORDER

This Criminal Original Petition has been filed to quash the charge sheet in S.C.No.112 of 2021, on the file of the learned Assistant Sessions Judge (Sub Court), Pattukkottai, Thanjavur District, for an alleged offences under Sections 147, 148, 294(b), 323, 324, 307 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 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 Gujarath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in S.C.No.112 of 2021 pending on the file of the learned Assistant Sessions Judge (Sub Court), Pattukottai, Thanjavur District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.112 of 2021 pending on the file of the learned Assistant Sessions Judge (Sub Court), Pattukottai, Thanjavur District, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order. The petitioner 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 06.04.2022 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. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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 Assistant Sessions Judge (Sub Court),
Pattukottai, Thanjavur District.
2. The Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur 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.DEENADHAYALAN, Advocate (SR-13563[F] dated
22/03/2022)

ORDER IN
CRL OP(MD) No.1677 of 2022
and CrI.M.P(MD)Nos.1215 & 1216 of 2022
Date : 21/03/2022

am(CO)
TR(01.04.2022) 3P 6C