



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

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

Crl.O.P. (MD)No.1880 of 2022

WEB COPY

Parthi @ Pathiban

... Petitioner/Sole Accused

Vs.

1. The Deputy Superintendent of Police,
Melur Circle,
Madurai District.

... 1st Respondent/1st Respondent

2. The State Rep. by
The Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.968 of 2015)

... 2nd Respondent/Complainant

3. Pechi

...3rd Respondent/Defacto Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to record this compromise memo and quash the charge sheet in Spl.SC.No.71 of 2021 on the file of the III Additional District and Sessions Judge for PCR Cases, Madurai District.

For Petitioner	: Mr.T.Arivalagan
For R1 & R2	: Mr.R.M.Anbunithi
	Additional Public Prosecutor
For R3	: Mr.P.Saravanan

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.71 of 2021 under Sections 294(b), 323, 506 (i) r/w 3(2)(Va)SC/ST POA Act, before the learned III Additional District & Sessions Judge for PCR Cases.

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 Spl.S.C.No.71 of 2021, pending on the file of learned III Additional District & Sessions Judge for PCR Cases, Madurai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.71 of 2021, pending on the file of learned III Additional District & Sessions Judge for PCR Cases, Madurai is quashed insofar as the petitioner alone, on condition that the third respondent shall return the compensation amount of Rs.22,500/-, which was received by her, while pending investigation from the Adi Dravidar Welfare Department, Madurai, within a period of two weeks, from the date of receipt of a copy of this order. The Adi Dravidar Welfare Department, Madurai is directed to receive the same and issue receipt to the third respondent. Thereafter, the third respondent is directed to produce the same, before the second respondent, within a period of two weeks, failing which, this petition shall stand dismissed automatically, without further reference to this Court. The terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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.

ENCL:Xerox Copy of Joint Compromise Memo

To:

1.The III Additional District and Sessions
Judge for PCR Cases,
Madurai District.

2. The Deputy Superintendent of Police,
Melur Circle, Madurai District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Inspector of Police,
Melur Police Station,
Madurai District.

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

COPY TO:

THE OFFICER INCHARGE,
ADI DRAVIDAR WELFARE DEPARTMENT, MADURAI.

+1 CC to M/s.P.SARAVANAN, Advocate (SR-9262[F] dated 01/03/2022)

ORDER IN

Crl.O.P. (MD)No.1880 of 2022

28.02.2022

nsn(CO)

GC(23.03.2022) 3P 7C