



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Cr1.O.P. (MD) .No.3054 of 2022

WEB COPY

1. Sivaganesan
2. Sundaranpandi
3. Thangapandian
4. Sivasubramanian
5. Sankar

... Petitioners/Accused Nos.1 to 5
Vs.

1.State rep. by
The Inspector of Police,
Seithur Police Station
Virudhunagar District ... 1st Respondent / Complainant

2. Gurunathadurai ... 2nd Respondents / Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in CC No.275 of 2021 in Crime No.143 of 2018 on the file of the learned Judicial Magistrate, Rajapalayam and quash the same.

For Petitioners : Mr.S. Muniyandi

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Cr1.Side)

For R-2 : Mr.M.Muthukumar

ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC No.275 of 2021 in Crime No.143 of 2018 on the file of the learned Judicial Magistrate, Rajapalayam.

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 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 CC No.275 of 2021 in Crime No.143 of 2018 pending on the file of the learned Judicial Magistrate, Rajapalayam 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 C.C.No.275 of 2021

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No.275 of 2021 in Crime No.143 of 2018 on the file of the learned Judicial Magistrate, Rajapalayam 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.5000/- (Rupees Five Thousand only) as costs, to the High Court Legal Services Authority, Madurai Bench of Madras High Court, Madurai, on or before 17.02.2022.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Encl.: xerox copy of joint compromise memo.

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To

1. The Judicial Magistrate, Rajapalayam

2. The Inspector of Police,
Seithur Police Station
Virudhunagar District

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

COPY TO

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

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-6122[F] dated 15/02/2022)

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14.02.2022

tp(CO)

TR(15.02.2022) 2P 6C

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