



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2022

CORAM:

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

Crl.O.P.(MD)No.3727 of 2022

WEB COPY

1. Satheesh Kumar
2. K.Sulochana
3. Kamaraj
4. V.Mahararish@Iswariya ... Petitioners/Accused No.1 to 4
Vs

1. The State of Tamil Nadu rep. by the
Inspector of Police,
AWPS Police Station, Nagercoi,
Kanyakumari District. ... 1st Respondent / Complainant

2. Divya ... 2nd Respondents / Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to CC. No. 116 of 2020 on the file of Fast Track Addl. Mahila Judicial Magistrate, Nagercoil, Kanyakumari District and quash the same.

For Petitioner : Mr.V.Balaji Rajaram

For Respondent : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

For Respondent : Mr.R.Retheesh
No.2

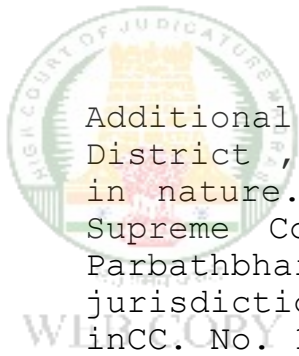
ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC. No. 116 of 2020 on the file of Fast Track Additional Mahila Judicial Magistrate, Nagercoil, Kanyakumari District .

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. The parties were present before this Court and they were identified by their respective counsels.

4. Under such circumstances, no useful purpose will be served in keeping the CC. No. 116 of 2020 on the file of Fast Track



Additional Mahila Judicial Magistrate, Nagercoil, Kanyakumari District, 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 charge sheet inCC. No. 116 of 2020 .

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC. No. 116 of 2020 on the file of Fast Track Additional Mahila Judicial Magistrate, Nagercoil, Kanyakumari District , 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 District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before on or before 02.03.2022 and produce the receipt before the concerned court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Aav

Encl.: xerox copy of joint compromise memo.

To

1. Judicial Magistrate (Additional Mahila) Nagercoil,
Kanyakumari District

2.Inspector of Police, AWPS Police Station,Nagercoi,
Kanyakumari District.

3.The District Siddha Medical Officer, CCRI, Periyakulam

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

+1 CC to M/s.V.BALAJIRAJARAM, Advocate (SR-8016[F] dated 23/02/2022)

Crl.O.P. (MD)No.3727 of 2022
23.02.2022

na (CO)

TR(25.02.2022) 2P 6C