



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2022

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.3507 of 2022

Muthaiah ... Petitioner/Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Manamadurai Sub Division,
Sivagangai District. ... 1st Respondent/
Investigation Officer

2.The State represented by
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.352 of 2019) ... 2nd Respondent/Complainant

3.Priya ... 3rd Respondent/Defacto Complainant

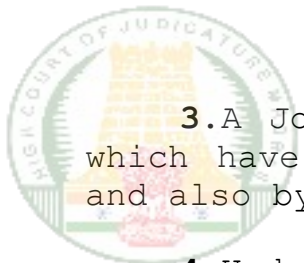
Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the case in Spl.S.C.No.13 of 2020 on the file of the Additional District and Sessions Court for the Exclusive Trail of PCR Act Cases, Sivagangai and quash the same.

For Petitioner	: Mr.P.Venkatesan
For Respondents	: Mr.B.Thanga Aravindh Government Advocate(Crl.Side) for R.1 & R.2 Mrs.P.Rohini for R.3

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in Spl.S.C.No.13 of 2020, on the file of the first respondent police, for an alleged offences under Sections 294(b) IPC and Sections 3(1)(r) and 3(1)(s) of Tamil Nadu Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

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 third 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.13 of 2020 pending on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.13 of 2020, on the file of the first respondent police, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order.

6. The third respondent is directed to return the compensation amount which was received while pending investigation for sum of Rs.75,000/- (Rupees Seventy Five Thousand only) to the concerned authority within a period of two weeks from the date of receipt of copy of this order and shall produce the receipt before the second respondent, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 Sessions Judge,
The Additional District and Sessions Court
for the Exclusive Trail of PCR Act Cases,
Sivagangai.

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



2.The Deputy Superintendent of Police,
Manamadurai Sub Division,
Sivagangai District.

3.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

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

Crl.O.P (MD)No.3507 of 2022
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