



Crl.O.P.(MD) No.3462 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.(MD) No.3462 of 2022

and

Crl.M.P(MD)Nos.2574 and 2576 of 2022

Rajeshkannan,

: Petitioner

Vs

1. The State represented by
The Sub Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No. 65/2019).

2. Shanmugasundari,

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records relating to the charge sheet laid by the
respondent in C.C.No. 119 of 2020 on the file of the Judicial Magistrate
Court, Paramakudi, Ramanathapuram District and quash the same.



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For petitioner : M/s.Prahalad Ravi.B.,
For R1 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor
For R2 : Mr.S.Ramakrishnan

ORDER

The Criminal Original Petition has been filed to quash the Charge Sheet in C.C.No. 119 of 2020 on the file of the Judicial Magistrate Court, Paramakudi, Ramanathapuram District, for the offences punishable under Sections 294(b), 354A(1)(ii), 354A(1)(iii), 354A(1)(iv) and 506(i) of IPC, in Crime No.65 of 2019.

2.The case of the prosecution is that due to money dispute, the defacto complainant lodged a complaint against the petitioner. After investigation, the respondent police filed charge sheet in C.C.No. 119 of 2020, on the file of the Judicial Magistrate Court, Paramakudi, Ramanathapuram District.

3.The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



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4. 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. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.K.Karthikeyan, SSI of Police, Paramakudi Town Police Station as well as by the learned Counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

5. In the instant case, the dispute is of civil in nature and the parties had compromised. Where the parties have compromised the matter, the High Court has to power to quash the complaint for the offence under Sections 294(b), 354A(1)(ii), 354A(1)(iii), 354A(1)(iv) and 506(i) of IPC.

6. The legal position expressed by the Hon'ble Apex Court in the case of **Gian Singh vs. State of Panjab and another** reported in **(2012)10 SCC 303** and **Parbathbhai Aahir @ Parbathbhai Vs. State**



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of Gujrath) reported in **(2017)9 SCC 641** were taken into consideration.

7. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in C.C.No. 119 of 2020, on the file of the Judicial Magistrate Court, Paramakudi, Ramanathapuram District, even though, the offences involved are not compoundable in nature.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No. 119 of 2020, on the file of the Judicial Magistrate Court, Paramakudi, Ramanathapuram District, is quashed and the terms of joint compromise memo shall form part and parcel of this order. Consequently, the connected miscellaneous petitions are closed.

18.07.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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To

1.The Sub Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.

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



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V.SIVAGNANAM, J.

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