



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 08.02.2022

WEB COPY

CORAM:  
THE HONOURABLE MR.JUSTICE **G.K. ILANTHIRAIYAN**  
Crl.O.P. (MD) .No.2591 of 2022

R.Charles ... Petitioner/Sole Accused  
Vs.

1.State rep. by  
The Inspector of Police,  
Manavalakurichi Police Station  
Kanyakumari District ... 1<sup>st</sup> Respondent/Complainant  
2.Ganeshan ... 2<sup>nd</sup> Respondent/  
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records and quash the charge sheet filed against the petitioner in C.C. No.96 of 2021 on the file of the learned Judicial Magistrate, Eraniel in respect of Crime No.228 of 2020 on the file of the first respondent police.

For Petitioner : Mr.M.Subbiah  
For R-1 : Mr.R.M.Anbunithi  
Additional Public Prosecutor  
For R-2 : Mr.M. Murugan

#### ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C. No.96 of 2021 on the file of the learned Judicial Magistrate, Eraniel for an alleged offences under Sections 294(b), 354(A) and 506(i) of IPC.

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 petitioner and the second respondent and also by their respective counsel.

4. Under such circumstances, no useful purpose will be served in keeping the C.C, No.96 of 2021 pending on the file of the learned Judicial Magistrate, Eraniel, 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 C.C. No.96 of 2021.



5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C, No.96 of 2021 pending on the file of the learned Judicial Magistrate, Eraniel, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner 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 11.02.2022.

Sd/-

Assistant Registrar (T& P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Encl:Photocopy of Compromise Memo attached.

To

1. The Judicial Magistrate, Eraniel
2. The Inspector of Police,  
Manavalakurichi Police Station  
Kanyakumari District
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Copy to:

The Officer in Charge(Secretary),  
High Court Legal Services Authority,  
Madurai Bench of Madras High Court,  
Madurai.

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MGJ(08.02.2022) 2P 5C