



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD)No.2740 of 2022

1.R.Muthuselvam

2.G.K.Chezhiyan

3.R.Ganesan

...Petitioners 1 to 3/Accused No 1, 2 & 4
Vs.

1.State Rep by its

The Inspector of Police,

District Crime Branch,

Thoothukudi District.

(Crime No.32 of 2008) ... 1st Respondent/Complainant

2.S.Annamalai

3.A.Pramod Sankar

4.A.Niranjana Sankar

5.S.Maheswaran

...Respondent 2 to 5/Defacto Complainants

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the impugned proceedings in C.C.No.642 of 2017 on the file of the learned Judicial Magistrate No.IV, Thoothukudi and quash the same.

For Petitioners : Mr.T.Antony Arulraj

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor (crl.side)

For R2 to R5 : Mr.G.Mariappan

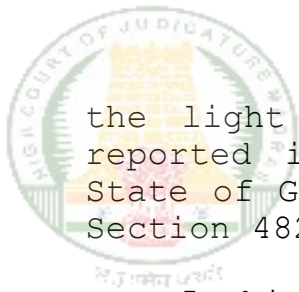
ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.642 of 2017 on the file of the learned Judicial Magistrate No.IV, Thoothukudi, for an alleged offences under Sections 468, 471, 420 and 201 r/w 34 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 petitioners and the respondents 2 to 5 and also by their respective counsel.

4. Under such circumstances, no useful purpose will be served in keeping the proceedings in C.C.No.642 of 2017 pending on the file of the learned Judicial Magistrate No.IV, Thoothukudi, 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.642 of 2017 pending on the file of the learned Judicial Magistrate No.IV, Thoothukudi, is quashed insofar as the petitioner alone and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) each as costs, **to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172)** on or before 31.03.2022 and produce the receipt before concerned Court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cp

ENCL:Xerox Copy of Joint Compromise Memo

To:

- 1.The Judicial Magistrate No.IV,
Thoothukudi.
- 2.The Inspector of Police,
District Crime Branch,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

THE OFFICER INCHARGE,
THE CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT, CHENNAI - 9.

+1 CC to M/s.G.MARIAPPAN, Advocate (SR-13250[F] dated 21/03/2022)

Crl.O.P. (MD)No.2740 of 2022

18.03.2022

svs (CO) GC (23.03.2022) 2P 6C

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