



BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 15.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.3012 of 2022

WEB COPY

1.Ilayaraja

2.Pasupathi Pandian

3.Balasundaram

... Petitioners/Accused Nos.1 to 3

Vs.

1.The State Represented by,
The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

(Crime No.128 of 2018). ... 1st Respondent/Complainant

2.G.Dhanush Raja

... 2nd Respondent/
Defacto Complainant

3.N.Vasanthi

4.K.Muthuraman

... Respondents 3 & 4/Victims

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the case in C.C.No.1226 of 2020 pending on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli District and quash the same as against the petitioners.

For Petitioners

: Mr.R.Anand

For R - 1

: Mr.K.Sanjai Gandhi

Government Advocate (Crl. Side)

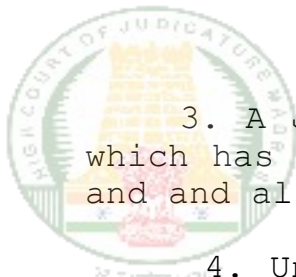
For RR 2 to 4

: Mr.P.Gunasekaran

ORDER

The Criminal Original Petition has been filed to quash the proceedings as against the petitioners in C.C.No.1226 of 2020 pending on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli District, in connection with the case in Crime No.128 of 2018 on the file of the first respondent for the alleged offences under Sections 147, 148, 294(b), 324 and 506(ii) of I.P.C.

2. The case is under investigation. 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 4 and also by their respective counsel.

4. Under such circumstances, no useful purpose will be served in keeping the proceedings in C.C.No.1226 of 2020 pending on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli 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 proceedings in C.C.No.1226 of 2020.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1226 of 2020 pending on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli 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 High Court Legal Services Authority, Madurai Bench of Madras High Court, Madurai, on or before 16.02.2022.

Sd/-

Assistant Registrar (CS II)

// True Copy //

16/02/2022

Sub Assistant Registrar(CS)

Ps

Encl : Photocopy of Joint Compromise Memo attached.

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.

To

1.The Judicial Magistrate,
Radhapuram, Tirunelveli District.

2.The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

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



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

WEB COPY

Copy to
The Officer in Charge,
High Court Legal Services Authority,
Madurai Bench of Madras High Court, Madurai

CrI.O.P(MD)No.3012 of 2022
15.02.2022

MGJ(16.02.2022) 3P 5C