



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.4026 of 2022

and

Crl.M.P(MD)Nos.2928 & 2929 of 2022

K.Ramamoorthy

... Petitioner/
Accused No.2

Vs.

1.The State represented by
The Inspector of Police,
Rameswaram Town Police Station,
Rameswaram.
(Crime No.52 of 2013)

... 1st Respondent/
Complainant

2.Kanelango

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records relating to the proceedings in P.R.C.No.13 of 2018 on the file of the learned District Munsif cum Judicial Magistrate Court, Rameswaram and quash the same.

For Petitioner : Mr.R.Senthil Kumar

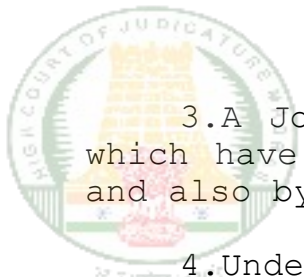
For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor(Crl.Side)
for R.1

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in P.R.C.No.13 of 2018 on the file of the learned District Munsif cum Judicial Magistrate Court, Rameswaram.

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 second 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in P.R.C.No.13 of 2018 pending on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.13 of 2018, 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. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, to the District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before 29.03.2022 and the receipt of payment shall be produced before the concerned Court, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar

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 District Munsif cum Judicial Magistrate Court,
Rameswaram.

2. The Inspector of Police,
Rameswaram Town Police Station,
Rameswaram.

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



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

COPY TO:

The District Siddha Medical Officer,
CCRI, Periyakulam.

Crl.O.P (MD) No.4026 of 2022
21.03.2022
3/3

mga

MS/22.03.2022/3P.5C