



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.2631 of 2021

and

Crl.M.P(MD)Nos.1390 & 1391 of 2021

Meiyarasan ... Petitioner/1st Respondent

Vs.

1.R.Gowtham ... 1st Respondent/
Defacto Complainant

2.The Sub-Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District. ... 2nd Respondent/2nd Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the entire records relating to the impugned proceedings
in C.C.No.5 of 2020 on the file of the learned Judicial Magistrate,
Mudukulathur and to quash the same.

For Petitioner : Mr.M.S.Jeyakarthik
For R - 1 : Mr.A.Karthik
For R - 2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed to quash the proceedings as against the petitioner in C.C.No.5 of 2020 on the file of the learned Judicial Magistrate, Mudukulathur.

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 first respondent and also by their respective counsel.

4.Under such circumstances, no useful purpose will be served in keeping the proceedings in C.C.No.5 of 2020 on the file of the learned Judicial Magistrate, Mudukulathur, 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 C.C.No.5 of 2020.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.5 of 2020 on the file of the learned Judicial Magistrate, Mudukulathur, 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.5,000/- (Rupees Five Thousand only) 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 06.05.2022 and produce the receipt before the concerned Magistrate, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

04/05/2022

Sub Assistant Registrar(CS)

ps

Encl.: xerox copy of Joint Compromise memo.

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,
Mudhukulathur.
- 2.The Sub-Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to

The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department, Government of Tamil Nadu,
Secretariat, Chennai 600 009.

+1 CC to M/s.M.S. JEYAKARTHICK, Advocate (SR-21933[F] dated
28/04/2022)

Order made in
CrI.O.P (MD) No.2631 of 2021
27.04.2022

smv (CO)
TR(04.05.2022) 3P 6C