



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K. ILANTHIRAIYAN**

Crl.O.P.(MD) No.3583 of 2022

Ranjithkumar

...Petitioner/Sole Accused

Vs.

1. The Inspector of Police
Kanyakumari Police Station
Kanyakumari District

...1st Respondent/Complainant

2. Parthanan Alias Partheepan @ Partheeban

...2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to to call for the records relating to the Impugned Charge sheet in S.C.No.52 of 2020 on the file of the **(*)Principal Sub court**, Nagercoil dated 28.01.2020 in FIR in Crime No.57 of 2019 dated 10.03.2019 on the file of the 1st respondent and quash the same.

For Petitioner : M/s.Rajeshwaran K

For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.52 of 2020 on the file of the **(*)Principal Sub court**, Nagercoil .

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 proceedings in S.C.No.52 of 2020 on the file of the **(*)Principal Sub court**, Nagercoil 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 S.C.No.52 of 2020.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.52 of 2020 on the file of the (*) **Principal Sub court**, Nagercoil 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) 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 28.02.2022 and produce the receipt before the concerned Court, failing which the order shall stand dismissed without any further reference to this Court.

Sd/-

Assistant Registrar (P&A)

(*)Corrected as per the order of this Court dated 07.03.2022 made in CRL.MP(MD).No. 3097 of 2022 in CRL.OP(MD).No. 3583 of 2022

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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(*) to be substituted the order already despatched on 25.02.2022
To

1. (*) The Judge

Principal Sub court,

Court No.1, Nagercoil

2. The Inspector of Police

Kanyakumari Police Station

Kanyakumari District

3. The District Siddha Medical Officer,

CCRI, Periyakulam

4. The Additional Public Prosecutor

Madurai Bench of Madras High Court

+1 CC to M/s.K.RAJESHWARAN, Advocate (SR-8121[F] dated 23/02/2022)

Crl.O.P.(MD) No.3583 of 2022
21.02.2022

MGJ(25.02.2022) 2P 6C

KB(22.03.2022) 2P 6C

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