



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

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

Crl.O.P.(MD)No.4501 of 2022

&

Crl.M.P.(MD)Nos.3198 & 3199 of 2022

WEB COPY

1.S.T.Shankarasubramaniyan

2. Seethalakshmi

...Petitioners

Vs.

1. The State represented by
The Inspector of Police,
District Crime Branch,
Tirunelveli District.
(Crime No.34 of 2008)

2. Subbiah

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records and quash the proceedings in C.C No.137 of 2014 on the file of the learned Judicial Magistrate No.1, Tirunelveli in so far as the petitioners are concerned.

For Petitioners : Mr.Senthil Sankaranatha Kumar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Criminal Side)

: Mr.K.Jeya Mohan for R2

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.137 of 2014, on the file of the learned Judicial Magistrate No.I, Tirunelveli, for an alleged offences under Sections 420, 294(b), 506(ii) 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 have been signed by the petitioners 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No.137 of 2014 pending on the file of the learned Judicial Magistrate No.I, Tirunelveli.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.137 of 2014 pending on the file of the learned Judicial Magistrate No.I, Tirunelveli, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. The petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) each 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 17.03.2022 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-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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 No.I, Tirunelveli.
2. The Inspector of Police,
District Crime Branch,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to
The District Siddha Medial Officer,
CCRI, Periyakulam,
Theni District.

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-11112[F] dated 10/03/2022)

ORDER IN
Crl.O.P. (MD)No.4501 of 2022
&Crl.M.P. (MD)Nos.3198 & 3199 of 2022
10.03.2022

sr(CO)
TR(14.03.2022) 3P 6C