



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM:

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

CrI.O.P. (MD)No.4344 of 2022

Subash @ Subash Chandar

...Petitioner/Sole Accused

Vs.

1. The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
(Crime No.127/2019)

... 1st Respondent / Complainant

2. Solairajan

... 2nd Respondents / Defacto complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to the charge sheet in S.T.C. No. 224 of 2019 on the file of the learned Judicial Magistrate No. II, Ramanathapuram and quash the same

For Petitioner: Mr.K.Navaneetharaja

For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R2 : Mr.N.Jayaram Sidharth

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in S.T.C. No. 224 of 2019, on the file of the learned learned Judicial Magistrate No. II, Ramanathapuram, for an alleged offences under Sections **(*)294(b) and 323 of 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 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 S.T.C. No. 224 of 2019 pending on the file of the learned learned Judicial Magistrate No. II, Ramanathapuram.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.T.C. No. 224 of 2019 pending on the file of the learned Judicial Magistrate No. II, Ramanathapuram, 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 22.03.2022 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.

Sd/-

Assistant Registrar(CRL SIDE)

(*) Amended as per the order of this court dated 14.06.2022 made in CRL.OP(MD) .No.4344 of 2022

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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 be substituted the order already despatched on 18/03/2022

To:

1. The Judicial Magistrate No. II,
Ramanathapuram.
2. The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.



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

COPY TO

WEB COPY

1.The District Siddha Medical Officer,
CCRI, Periyakulam.

2. The Manager
State Bank of India,
Periyakulam.

3.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1Cc to Mr.K.Navaneetharaja, Advocate, SR.No. 25851 dated 15.06.2022

Crl.O.P. (MD)No.4344 of 2022

14.03.2022

se (CO)

TR(18.03.2022) 3P 6C

KB(21.06.2022) 3P 8C