



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2022

CORAM:

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

Crl.O.P. (MD)No.4393 of 2022

WEB COPY

1. Chinnapandiyan
2. Kani @ Suthanthira Kani ...Petitioners/Accused No 1 & 2
Vs.

1. The Sub Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District.
(Crime No.261 of 2021) ... 1st Respondent/Complainant

2. Pandiammal ...2nd Respondent/Defacto Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to P.R.C No.6 of 2022 on the file of the learned Judicial Magistrate, Aundipatti, Theni District and quash the same.

For Petitioner : Mr.C.Muthu Saravanan
For Respondent R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For R2 : Mr.N.Ratheesh

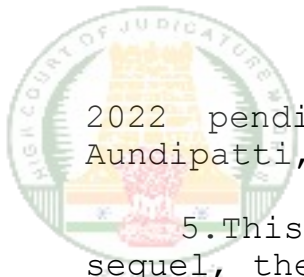
ORDER

The Criminal Original Petition has been filed to quash the charge sheet in P.R.C.No.6 Of 2022, on the file of the learned Judicial Magistrate, Aundipatti, Theni District, for an alleged offences under Sections 326, 294(b), 307, 109, 324, 506(2), 323 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in P.R.C.No.6 Of



2022 pending on the file of the learned Judicial Magistrate, Aundipatti, Theni District.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.6 Of 2022 pending on the file of the learned Judicial Magistrate, Aundipatti, Theni District, 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 15.03.2022 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 (AS)

// True Copy //

11/03/2022

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.

ENCL:Xerox Copy of Joint Compromise Memo

To:

- 1.The Judicial Magistrate,
Aundipatti, Theni District.
2. The Sub Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM.

ORDER IN
Crl.O.P. (MD)No.4393 of 2022

08.03.2022