



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2022

CORAM:

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

CRL OP(MD). No.4714 of 2022

1. Peththi Nachiyappan

2. Sutha

3. Muthaiyah

... Petitioners/Accused Nos 1, 3 & 4

Vs

1. The Inspector of Police,
Thallakulam Police Station,
Madurai District.

(Crime No.983 of 2012.) ... 1st Respondent/Complainant

2. Devaraj Nachiyappan ... 2nd Respondent/Defacto Complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records relating to the proceedings in C.C No. 300 of 2016 on the file of the Additional Mahila Court, Madurai and quash the same.

For Petitioners : Mr.A.Joseph Jerry

For Respondent : Mrs.M.Aasha

R1

Government Advocate (Criminal Side)

R2

Mr.Issac Camilus

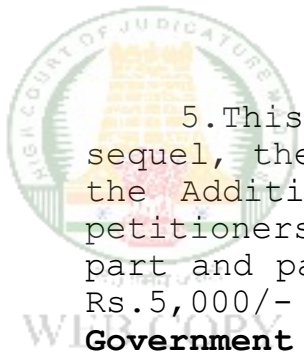
ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.300 of 2016, on the file of the Additional Mahila Court, Madurai, for an alleged offences under Sections 120 (b), 294(b), 506(i) IPC and 4 of the Tamil Nadu Prohibition of Harassment of Women Act.

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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No.300 of 2016 pending on the file of the Additional Mahila Court, Madurai.



5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.300 of 2016 pending on the file of the Additional Mahila Court, Madurai, 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 **Government of Tamil Nadu, CMPRF in IOB**, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), on or before 31.03.2022 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 (P&A)

// 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.

ENCL:Xerox Copy of Joint Compromise Memo

TO

- 1.The Judge,
The Additional Mahila Court, Madurai.
- 2.The Inspector of Police,
Thallakulam Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

THE OFFICER INCHARGE,
THE CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT, CHENNAI - 9.

+1 CC to M/s.A.JOSEPH JERRY, Advocate (SR-13953[F] dated 23/03/2022)

ORDER

IN

CRL OP(MD) No.4714 of 2022

Date : 22/03/2022

KS (CO)

GC(25.03.2022) 2P 6C

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