



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM:

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

CRL OP(MD) . No.4992 of 2022

WEB COPY

I.Shanthi

... Petitioner/Sole Accused

Vs

1. State represented by

The Inspector of Police,
Srivilliputtur Town Police Station,
Virudhunagar District,
in Crime No.348 of 2021.

... 1st Respondent/ Complainant

2. B.Tamilarasi

... 2nd Respondent/ Defacto Complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records in the case in C.C.No.651 of 2021 on the file of the learned Judicial Magistrate II, Srivilliputhur and quash the same as illegal, violation of law.

For petitioner : Mr.M.Jothi Basu

For Respondent : Mr.R.M.Anbunithi,

R1 Additional Public Prosecutor

R2 : Mr.K.Ramamoorthy

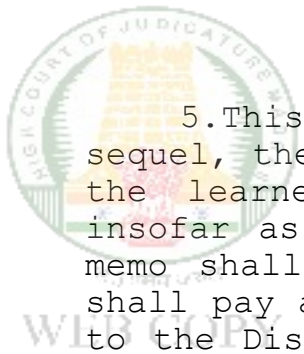
ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.651 of 2021, on the file of the learned Judicial Magistrate II, Srivilliputhur, for an alleged offences under Sections 288, 304(A) 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No.651 of 2021 pending on the file of the learned Judicial Magistrate II, Srivilliputhur.



5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.651 of 2021 pending on the file of the learned Judicial Magistrate II, Srivilliputhur, 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 24.03.2022 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 (CS-III)

// True Copy //

21/03 /2022

Sub Assistant Registrar(CS-II)

PNM

Enclosed herewith Copy of the 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

- 1.The Judicial Magistrate II, Srivilliputhur.
2. The Inspector of Police,
Srivilliputtur Town Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

The District Siddha Medical Officer, CCRI, Periyakulam

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-12886[F] dated 18/03/2022)

CRL OP(MD) No.4992 of 2022

Date : 17.03.2022

RD(21.03.2022) 2P 6C