



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.5390 of 2022

Sathiyan

... Petitioner/
Sole Accused

Vs.

1.The State represented by
The Inspector of Police,
Periyakulam Police Station,
Theni District.

... Respondent No.1/
De-jure Complainant

2.Gomathi Chithra

... Respondent No.2/
De-facto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records connected with the proceedings in C.C.No.183 of 2020 on the file of the learned Judicial Magistrate Court, Periyakulam and quash the same.

For Petitioner : Mr.R.Alagumani
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor for R.1

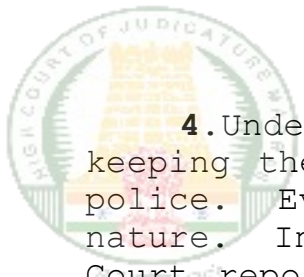
Mr.S.Ramesh Kumar for R.2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.183 of 2020 on the file of the learned Judicial Magistrate Court, Periyakulam.

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.183 of 2020 pending on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.183 of 2020, on the file of the first respondent police, 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 in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before 01.04.2022 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)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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

1. The Judicial Magistrate, Periyakulam.
2. The Inspector of Police,
Periyakulam Police Station,
Theni District.



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

WEB COPY

Copy to
The District Siddha Medical Officer,
CCRI, Periyakulam.

Crl.O.P (MD)No.5390 of 2022
23.03.2022

sj (CO)
TR(25.03.2022) 3P 5C