



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.5282 of 2022

1.Shekmusha

2.Pandi

3.Noormohamed

... Petitioners/Accused Nos.1,2 & 4
Vs

1.State represented through by

The Inspector of Police,
Jaihindpuram Police Station,
Madurai City,
Madurai District.

(Crime No.1079 of 2020) ... 1st Respondent / Complainant

2.Karikalan ... 2nd Respondents / Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to the impugned charge sheet filed in C.C.No.122 of 2021 on the file of the learned Judicial Magistrate No.IV, Madurai and quash the same as illegal as against the petitioners are concerned.

For Petitioners : Mr.R.Karunanidhi

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor for R1
Mr.M.Bazeerdeen for R2

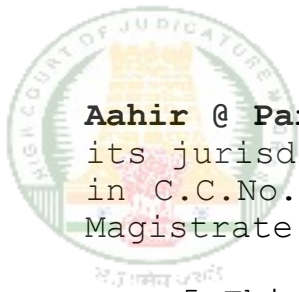
O R D E R

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.122 of 2021, on the file of the learned Judicial Magistrate No.VI, Madurai, for the alleged offences under Sections 294(b), 324, 323 and 506(2) 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 criminal proceedings pending before learned Judicial Magistrate No.IV, Madurai. 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.122 of 2021 pending on the file of the learned Judicial Magistrate No.IV, Madurai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.122 of 2021, on the file of the learned Judicial Magistrate No.IV, 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.10,000/- (Rupees Five Thousand only) as costs, to the **to the credit of Government of Tamil Nadu, CMPRF in IOB**, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) on or before 07.04.2022 and produce the receipt before the respondent police, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Encl.: xerox copy of joint compromise memo.

To

1.The Judicial Magistrate No.IV, Madurai.

2.The Inspector of Police,
Jaihindpuram Police Station,
Madurai City, Madurai District.

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

Copy to

The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department,Government of Tamil Nadu,
Secretariat, Chennai 600 009.

Order made in

CRL.O.P (MD) No.5282 of 2022

24.03.2022

KG(CO)

TR(29.03.2022) 2P 5C