



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.5589 of 2022

1. J.Santhosh Kumar
2. S.Chelliah
3. Suresh @ Jeevan Suresh
4. S.Eberson Jebakumar ... Petitioners/Accused Nos.1 to 4
Vs.

1. The State represented by
The Inspector of Police,
Puthiyamputhur Police Station,
Tuticorin District.
(In Crime No.57 of 2019) ... 1st Respondent/Complainant

2. Raja Durai ... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in connection with STC.No.411 of 2019 on the file of the learned Judicial Magistrate No.I, Thoothukudi, Thoothukudi District in connection with Crime No.57 of 2019 on the file of the first respondnet Police station and subsequently quash the same.

For Petitioners : Mr.P.Banu Prasath
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Criminal Side)
for R.1
Mr.V.Selva Kumar for R.2

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in STC.No.411 of 2019, on the file of the first respondent police.

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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in STC.No.411 of 2019 pending on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in STC.No.411 of 2019, on the file of the first respondent police, 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) as costs, 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 06.04.2022 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 (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

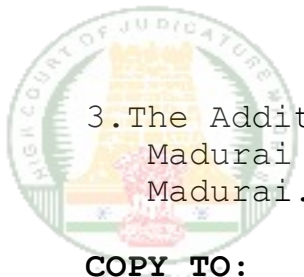
Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

ENCL:Xerox Copy of Joint Compromise Memo

To

- 1.The Judicial Magistrate No.I,
Thoothukudi,
Thoothukudi District.
- 2.The Inspector of Police,
Puthiyamputhur Police Station,
Tuticorin District.

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



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.P.BANU PRASATH, Advocate (SR-14975[F] dated 28/03/2022)
Crl.O.P(MD)No.5589 of 2022
28.03.2022

ARK(CO)
GC(30.03.2022) 3P 6C