



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.5711 of 2022

D.Jagin Durai

...Petitioner/Sole Accused

Vs.

1. The Inspector of Police,  
Thoothukudi South Police Station,  
Thoothukudi District.  
(Crime No.39/2019)

... Respondent/Complainant

2. Saravanakumar

...Respondent/Defacto Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records from the in C.C.No. 329 of 2019 on the file of the learned Judicial Magistrate No. I, Thoothukudi and quash the same

For Petitioners : Mr.G.Radhakrishnan  
For Respondents : Mr.R.M.Anbunithi  
No.1 Additional Public Prosecutor  
For Respondents : Mr.Iyyappan  
No.2

**ORDER**

The Criminal Original Petition has been filed to quash the proceedings in C.C.No. 329 of 2019 on the file of the learned Judicial Magistrate No. I, Thoothukudi.

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 has been signed by the petitioners and the second respondent and also by their respective counsel. The parties were present before this Court and they were identified by their respective counsels.

4. Under such circumstances, no useful purpose will be served in keeping the C.C.No. 329 of 2019 on the file of the learned Judicial Magistrate No. I, Thoothukudi, 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. 329 of 2019.



5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No. 329 of 2019 on the file of the learned Judicial Magistrate No. I, Thoothukudi , is quashed and the terms of Joint Memo of Compromise 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 **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 08.04.2022 and produce the receipt before the concerned Court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (W)

// True Copy //

31/03/2022

Sub Assistant Registrar (CS-II)

aav

**ENCL:Xerox Copy of Joint Compromise Memo**

To

- 1.The Judicial Magistrate No. I,  
Thoothukudi
- 2.The Inspector of Police,  
Thoothukudi South Police Station,  
Thoothukudi 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.G.RADHAKRISHNAN, Advocate ( SR-15742[F]  
dated 31/03/2022 )

Crl.O.P. (MD) No.5711 of 2022  
29.03.2022

tp(CO)  
GC(31.03.2022) 2P 6C