



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2022

**CORAM**

WEB COPY

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

**Crl.O.P(MD)No.5285 of 2022**

1. Stalin
2. Thangalet
3. Kala @ Padmakala
4. Shaini
5. Viji
6. Sinju

... Petitioners/Accused No.1 to 6

Vs.

1. The Inspector of Police,  
All Women Police Station,  
Marthandam,  
Kanyakumari District.  
(Crime No.43 of 2020)

... 1<sup>st</sup> Respondent/Complainant

2. Asha ... 2<sup>nd</sup> Respondent/Defacto Complainant

**Prayer:** Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in C.C.No.129 of 2021 in Crime No.43 of 2020 on the file of the learned Judicial Magistrate No.1, Padmanabhapuram and quash the same.

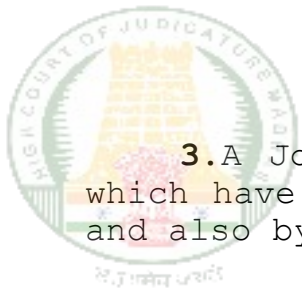
For Petitioners : Mr.S.Muniyandi  
For Respondents : Mr.K.Sanjai Gandhi  
Government Advocate (Criminal Side)  
for R.1

Mr.M.Vijaya Kumar for R.2

**ORDER**

This Criminal Original Petition has been filed to quash the charge sheet in C.C.No.129 of 2021 in Crime No.43 of 2020 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 C.C.No.129 of 2021 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.129 of 2021, 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

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 No.1,  
Padmanabhapuram.



2.The Inspector of Police,  
All Women Police Station,  
Marthandam,  
Kanyakumari 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.

Crl.O.P(MD)No.5285 of 2022  
29.03.2022

sj(CO)  
TR(30.03.2022) 3P 5C