



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) . No.5366 of 2022

and CRL.M.P. (MD) Nos.3808 & 3809 of 2022

WEB COPY

Abdul Azad

....Petitioner

Vs

1. The State represented by
The Inspector of Police,
Uthamapalayam AWPS,
Madurai District.
(Crime No.5/2017)

2. Syed Ali Fathimakani
Respondents

....

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records and to quash the proceedings in Charge Sheet before Learned Judicial Magistrate, Uthamapalayam C.C No.88/2021 quash the same or any other further order as this Hon'ble Court.

For Petitioners : Mr.AK.Azagarasmi

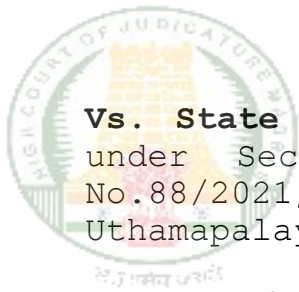
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor (Criminal Side)
for R1
: Mr. R.Vignesh for R2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C No.88/2021 on the file of the learned Judicial Magistrate, Uthamapalayam.

2.Today (ie., 28.03.2022), when the matter is taken up for hearing, the learned counsel appearing for the petitioner and the learned counsel appearing for the second respondent submitted that both the parties settled their issue amicably and now they are living happily. To that effect, 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.

3.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.88/2021, pending on the file of the learned Judicial Magistrate, Uthamapalayam.

4.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C No.88/2021, pending on the file of the learned Judicial Magistrate, Uthamapalayam, is quashed insofar as all the accused persons and the terms of joint compromise memo shall form part and parcel of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

Enclosed herewith Copy of the 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, Uthamapalayam.
2. The Inspector of Police,
Uthamapalayam AWPS,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) . No.5366 of 2022
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Date : 28/03/2022

RD(19.04.2022) 2P 4C