



WEB COPY

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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.5481 of 2022

and
Crl.M.P(MD) No.3892 and 3893 of 2022

1. Vairavamoorthy
2. D.Senthil @ Kalyanaodai Senthil
...Petitioners/1st & 2nd Accused

Vs.

1. The State Rep. by
The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
(Crime No.1473/2020) ... 1st Respondent / Complainant
2. Rajavarman @ Periyadurai ... 2nd Respondents /
Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the charge sheet in C.C.No.42/2021 on the file of the Learned Judicial Magistrate, Pattukottai and quash the same.

For Petitioners : Mr.K.Mahendran

For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

For R2 : Mr.K.Prabhu

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.42 of 2021 on the file of the learned Judicial Magistrate, Pattukottai

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.42 of 2021 on the file of the learned Judicial Magistrate, Pattukottai, 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the charge sheet in C.C.No. 43 of 2021

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.42 of 2021 on the file of the learned Judicial Magistrate, Pattukottai, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners shall pay a sum of Rs.10,000/- (Rupees Ten 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) or before 04.04.2022 and produce the receipt before the concerned court, failing which the order shall stand dismissed automatically without any further reference to this Court. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Encl.: xerox copy of joint compromise memo.

To

- 1.The Judicial Magistrate, Pattukottai
2. The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court



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

+1 CC to M/s.K.MAHENDRAN, Advocate (SR-14367[F] dated 24/03/2022)

CrI.O.P.(MD) No.5481 of 2022
and
CrI.M.P(MD) No.3892 and 3893 of 2022
24.03.2022

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TR(25.03.2022) 3P 6C