



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.5974 of 2021

1.A.Gopi
2.K.Vijay
3.K.Sathish
4.M.Kala

... Petitioners/Accused Nos.3 to 6
Vs.

1.The State represented by
The Deputy Superintendent of Police,
Thiruverumbur Sub Division,
Trichirappalli District.
(Crime No.429 of 2014) ... 1st Respondent/Complainant

2.The Inspector of Police,
Thiruverumbur Police Station,
Trichirappalli District.
(Crime No.429 of 2014) ... 2nd Respondent/Complainant

3.S.Thamizharasan ... 3rd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the original Charge Sheet in Spl.S.C.No.37 of 2019 filed by the first respondent in Crime No.429 of 2014 pending on the file of the learned Additional District Judge (PCR), Tiruchirappalli District and quash the same.

For Petitioners : Mr.C.M.Arumugam
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)
for R.1 & R.2
Mr.V.Soundara Raj for R.3

ORDER

This Criminal Original Petition has been filed to quash the charge sheet in Spl.S.C.No.37 of 2019 filed by the first respondent in Crime No.429 pending on the file of the learned Additional District Judge (PCR), Tiruchirappalli District.

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 third 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 Spl.S.C.No.37 of 2019 pending on the file of learned Additional District Judge (PCR), Tiruchirappalli District.

5. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.37 of 2019, on the file of learned Additional District Judge (PCR), Tiruchirappalli District, is quashed insofar as the petitioners alone are concerned 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 **18.04.2022** and the receipt of payment shall be produced before the concerned Court, failing which, this order shall stand vacated automatically without any further reference to this Court. It is also noted that the Atrocity Relief Fund which was received by the second respondent after registration of FIR also has been returned in favour of the Director of District Adi Dravidar and Tribal Welfare Office, Trichy, dated 16.11.2021.

Sd/-

Assistant Registrar (W)

// 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 Additional District Judge (PCR),
Tiruchirappalli District.
- 2.The Deputy Superintendent of Police,
Thiruverumbur Sub Division,
Trichirappalli District.
- 3.The Inspector of Police,
Thiruverumbur Police Station,
Trichirappalli District.
- 4.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.

COPY TO:

The Director of District Adi Dravidar
and Tribal Welfare Office,
Trichy

+1 CC to M/s.C.M. ARUMUGAM, Advocate (SR-16585[F] dated 05/04/2022)
Crl.O.P(MD) .No.5974 of 2021
04.04.2022

SRR(CO)
GC(12.04.2022) 3P 8C