



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.5631 of 2022

WEB COPY

1. Ananth

2. Kumar @ Thavasi

... Petitioner/Accused 1 & 2

Vs

1. The state through the
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(In Crime No.200/2019)

...1st Respondent/Complainant

2. Veerakumar

...2nd Respondent/
Defacto Complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records relating to the impugned Charge Sheet in C.C.No. 1307 of 2020 on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli and quash the same.

For Petitioners : Mr.K.Sivabalan

For Respondent : Mr.R.M.Anbunithi

R1

Additional Public Prosecutor
(Criminal Side)

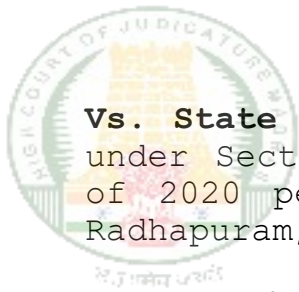
ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No. 1307 of 2020, on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli, for an alleged offences under Sections 427, 506(ii) IPC.

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 Gujarath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No. 1307 of 2020 pending on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No. 1307 of 2020 pending on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli, 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) each 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 05.04.2022 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-I)

// True Copy //

31/03/2022

Sub Assistant Registrar(CS)

PNM

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, Radhapuram, Tirunelveli.
 2. The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
 4. The Officers Incharge, Chief Minister Public Relief Fund,
Secretariat, Chennai-9
- +1 CC to M/s.K.SIVABALAN, Advocate (SR-15116[F] dated 29/03/2022)

CRL OP(MD). No.5631 of 2022

Date : 28/03/2022

SP(CO)

KB(31.03.2022) 2P 6C

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