



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.6133 of 2022

1.K.Anbalagan
2.S.K.Balasubramanian

... Petitioners/
Accused Nos.2 & 3

Vs.

1. The State represented by
The Deputy Superintendent of Police,
District Crime Branch,
Ramanathapuram.
(Crime No.35 of 2013)

... Respondent/
Complainant

K.Murugan, (Died)
S/o.Karanthamalai

... Defacto Complainant/
Deceased

2. Saraswathi
3.Kannan
4.Palanikumar

... Respondents/
Legal Heirs of
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the charge sheet in C.C.No.92 of 2015 on the file of the learned Judicial Magistrate No.II, Ramanathapuram and quash the same.

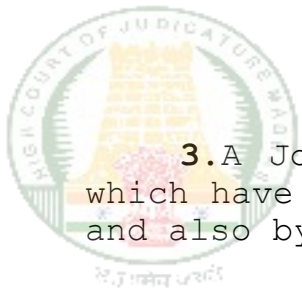
For Petitioners : Mr.P.Venkatesan
For Respondents : Mrs.M.Aasha
Government Advocate (Criminal Side)
for R.1

Mr.C.Jeganathan for R.2 to R.4

ORDER

This Criminal Original Petition has been filed to quash the charge sheet in C.C.No.92 of 2015 on the file of the learned Judicial Magistrate No.II, Ramanathapuram.

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 respondents 2 to 4 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.92 of 2015 on the file of the learned Judicial Magistrate No.II, Ramanathapuram.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.92 of 2015 on the file of the learned Judicial Magistrate No.II, Ramanathapuram, 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 27.04.2022 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(AD-I)

// 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.II,
Ramanathapuram.



2.The Deputy Superintendent of Police,
District Crime Branch,
Ramanathapuram.

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

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P. SIVACHANDRAN, Advocate (SR-17211[F] dated
07/04/2022)

+2 CC to M/s.P. VENKATESAN, Advocate (SR-17212[F] dated
07/04/2022)

Crl.O.P (MD)No.6133 of 2022
07.04.2022

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TR(19.04.2022) 3P 8C