



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2022

CORAM:

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

CRL OP(MD) . No.5806 of 2022

WEB COPY

1. Alagusundaram

2. Stalin

...Petitioners/Accused No.1 & 2

Vs

1.State represented by

The Inspector of Police,

Thiruppurakundram Police Station,

Madurai District.

(Crime No.310 of 2019)

... 1st Respondent/Complainant

2. Vaiyla

...2nd Respondent/Defacto Complainant

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C.to call for the records pertaining to the above case in C.C No. 1325 of 2019 on the file of the learned Judicial Magistrate No.6, Madurai quash the same.

For Petitioners : Mr.A.S.Rajeswari

For Respondent : Mr.R.M.Anbunithi

Additional Public Prosecutor (Criminal Side)
for R1

: Mr.M.Kanchammal for R2

ORDER

This Criminal Original Petition has been filed to quash the charge sheet in C.C.No.1325 of 2019, on the file of the learned Judicial Magistrate No.6, Madurai, for an alleged offences under Sections 323, 324 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.1325 of 2019 pending on the file of the learned Judicial Magistrate No.6, Madurai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.1325 of 2019 pending on the file of the learned Judicial Magistrate No.6, Madurai, 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 06.04.2022 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 //

/ /2022

Sub Assistant Registrar(CS)

PNM

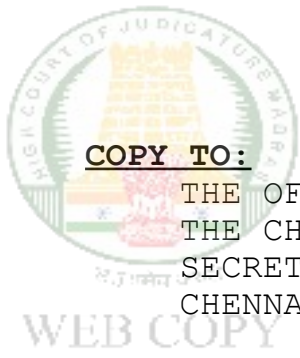
Note: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

ENCL:Xerox Copy of Joint Compromise Memo

TO

- 1.The Judicial Magistrate No.6,
Madurai.
- 2.The Inspector of Police,
Thiruppurakundram Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



COPY TO:

THE OFFICER INCHARGE,
THE CHIEF MINISTER PUBLIC RELIEF FUND,
SECRETARIAT,
CHENNAI - 9.

ORDER

IN

CRL OP(MD) . No.5806 of 2022

Date : 30/03/2022

SMV(CO)

GC(01.04.2022) 3P 5C