



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.5090 of 2020

1. Arul Jerin Kasten @ Jerin
2. Joseph
3. Konson
4. Rexson
5. Alphonsal
6. Jeshany @Thesany

...Petitioners/
Accused Rank Nos. 1 to 6

Vs.

1. The Inspector of Police
All Women Police Station
Colachal, Kanyakumari District
(Crime No.20/2013)

...Respondent No.1/Complainant

2. Soni

...Respondent No.2/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to to call for the records relating to the CC No. 51 of 2014 on the file of the learned Judicial Magistrate, Eraniel & quash the same.

For Petitioners : Mr.S.J.Chakkaravarthy

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

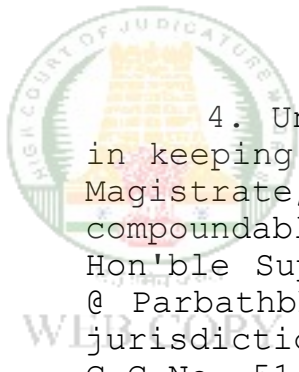
No.2 : Mr.T.Vigneshwarn

ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC No. 51 of 2014 on the file of the learned Judicial Magistrate, Eraniel .

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.



4. Under such circumstances, no useful purpose will be served in keeping the CC No. 51 of 2014 on the file of the learned Judicial Magistrate, Eraniel, 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. 51 of 2014

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No. 51 of 2014 on the file of the learned Judicial Magistrate, Eraniel, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

aav

Enclose copy of Joint Compromise Memo.

To

1. The Judicial Magistrate, Eraniel
2. The Inspector of Police
All Women Police Station
Colachal, Kanyakumari District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.B. MUNEESWARAN, Advocate (SR-21929[F] dated 28/04/2022)

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27.04.2022

RK(16/05/2022) 2P 5C