



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P(MD)No.5099 of 2020

Manikandan

... Petitioner/Sole Accused

Vs.

1.The State Rep. by
The Inspector of Police,
Ilathur Police Station,
Tirunelveli District.
(Cr.No.160 of 2018)

...1st Respondent/De-jure Complainant

2.Mani

... 2nd Respondent/Defacto Complainant

3.Selvarani

... 3rd Respondent/Victim

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records connected with the case in Spl.C.C.No.220 of 2019 on the file of the 4th Additional Sessions Judge Cum Mahila Court, Tirunelveli and quash the same as illegal insofar as the petitioner is concerned.

For Petitioner	:	Mr.R.Alagumani
For R1	:	Mr.B.Thanga Aravindh
		Government Advocate (Cr1.side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings as against the petitioner in Spl.C.C.No.220 of 2019 on the file of the learned IV Additional Sessions Judge Cum Mahila Court, Tirunelveli.

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 petitioner and the second and third respondents 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 Gujrat)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in Spl.C.C.No.220 of 2019 on the file of the learned IV Additional Sessions Judge Cum Mahila Court, Tirunelveli.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.C.C.No.220 of 2019 on the file of the learned IV Additional Sessions Judge Cum Mahila Court, Tirunelveli, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order. The petitioner 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 04.05.2022 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(CRL SIDE)

// True Copy //

28/04/2022

Sub Assistant Registrar(CS)

Encl.: xerox copy of Joint Compromise memo.

vsd

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 IV Additional Sessions Judge Cum Mahila court, Tirunelveli.
2. The Inspector of Police,
Ilathur Police Station,
Tirunelveli District.
3. 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.

Crl.O.P (MD)No.5099 of 2020
27.04.2022

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