



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.6718 of 2022

Hashini

... Petitioner/Accused No.1

Vs.

1.The State represented by
The Inspector of Police,
SS Colony Police Station,
Madurai City.
(Crime No.278 of 2021)

... 1st Respondent/
Complainant

2.Balakrishnan

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the entire records in relating to Charge Sheet in C.C.No.453 of 2022 on the file of the learned Judicial Magistrate No.V Madurai in Crime.No.278 of 2021 on the file of the first respondent and quash the same.

For Petitioner : Mr.R.Aravind Raj

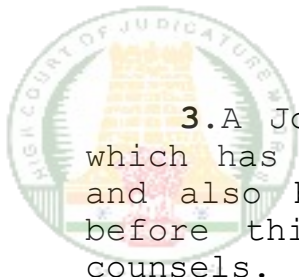
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor for R.1

Mr.R.Suresh Kumar for R.2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.453 of 2022 on the file of the learned Judicial Magistrate No.V, Madurai.

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 petitioner and the second respondent and also by their respective counsel. The parties were present before this Court and they were identified by their respective counsels.

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4. Under such circumstances, no useful purpose will be served in keeping the C.C.No.453 of 2022 on the file of the learned Judicial Magistrate No.V, Madurai, 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 charge sheet in C.C.No.453 of 2022.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.453 of 2022 on the file of the learned Judicial Magistrate No.V, Madurai, is quashed and the terms of Joint Memo of Compromise 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) or before 27.04.2022 and produce the receipt before the concerned court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar ()

// True Copy //

19/04/2022

Sub Assistant Registrar(CS)

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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

Enclose copy of Joint Compromise memo.

1.The Judicial Magistrate No.V,
Madurai.



2. Inspector of Police,
SS Colony Police Station,
Madurai City.

3. The Joint Secretary to Government,
CMPRF (Finance Department),
Secretariat Branch,
Chennai-9.

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

Crl.O.P(MD)No.6718 of 2022
11.04.2022

RK(19/04/2022) 3P 5C