



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

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

Crl.O.P.(MD).No.6249 of 2022

- 1.Babulal
- 2.Dhuvarakan
- 3.Ravi @ V.C.Ravichandran ...Petitioners/Accused Nos 1 to 3

Vs.

- 1.State rep. by
The Inspector of Police,
Thirupparankundram Police Station
Madurai District
(Crime No.520 of 2019) ... 1st Respondent/Complainant

- 2.Susivinagayam ...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the impugned charge sheet in C.C.No.303 of 2021 pending on the file of the Hon'ble Additional Mahila Judge (Judicial Magistrate Level), Madurai District and to quash the same as against these petitioners.

For Petitioners : Mr.V.B.Sundhareshwar
For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor
For R-2 : Mr.C.Ramalingam

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.303 of 2021 pending on the file of the learned Additional Mahila Judge (Judicial Magistrate Level), Madurai District, for an alleged offences under Sections 294(b), 323, 506 (i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2022.

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 Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No.303 of 2021 pending on the file of the learned Additional Mahila Judge (Judicial Magistrate Level), Madurai District.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.303 of 2021 pending on the file of the learned Additional Mahila Judge (Judicial Magistrate Level), Madurai District, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. Further, the petitioners shall pay a sum of Rs.5,000/- 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 **12.04.2022** 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 (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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ENCL:Xerox Copy of Joint Compromise Memo_

To

- 1.The Judicial Magistrate,
The Additional Mahila Court, Madurai.
- 2.The Inspector of Police,
Thirupparankundram Police Station
Madurai District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

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

+3 CC to M/s.V.B. SUNDHARESHWAR, Advocate (SR-17131[F]
dated 07/04/2022)

Crl.O.P. (MD) .No.6249 of 2022
05.04.2022