



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.6334 of 2022

WEB COPY

1.Karthickraja
2.Pushpam
3.Parimala
4.Kalaiarasi
5.Senthilkumar

... Petitioners/Accused Nos.1 to 5

Vs.

1.State represented by,
The Inspector of Police,
Mathichayam Police Station,
Madurai City.
(In Crime No.551 of 2018)... 1st Respondent/Complainant

2.Pandiyalakshmi ... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records relating to the impugned charge sheet filed in C.C.No.390 of 2019 on the file of the learned Additional Mahila Court (Judicial Magistrate Court), Madurai and to quash the same as illegal as against the petitioners.

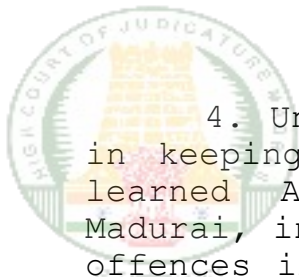
For Petitioners	: Mr.R.Karunanidhi
For R - 1	: Mr.B.Thanga Aravindh Government Advocate (Crl. Side)
For R - 2	: Mr.R.Mathava Selvam

ORDER

The Criminal Original Petition has been filed to quash the proceedings as against the petitioners in C.C.No.390 of 2019 for the offences under Sections 147, 294(b) and 323 of I.P.C and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 2002, pending on the file of the learned Additional Mahila Court (Judicial Magistrate Court), 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 petitioners and the second respondent and also by their respective counsel.



4. Under such circumstances, no useful purpose will be served in keeping the proceedings in C.C.No.390 of 2019 on the file of learned Additional Mahila Court (Judicial Magistrate Court), Madurai, in Crime No.551 of 2018, dated 03.10.2018, 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 Gujraath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes C.C.No.390 of 2019.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.390 of 2019 on the file of learned Additional Mahila Court (Judicial Magistrate Court), Madurai, in Crime No.551 of 2018, dated 03.10.2018, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioners 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 13.04.2022 and produce the receipt before the respondent police, 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)

ps

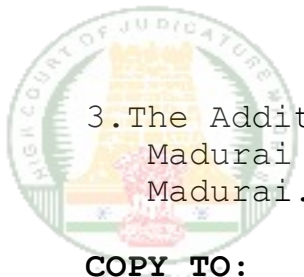
ENCL:Xerox Copy of Joint Compromise Memo

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 Judicial Magistrate,
Additional Mahila Court, Madurai

2.The Inspector of Police,
Mathichayam Police Station,
Madurai City.



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.

Order made in
Crl.O.P(MD)No.6334 of 2022
06.04.2022

sr(CO)
GC(08.04.2022) 3P 5C