



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.6392 of 2022

Vinothkumar ... Petitioner/Sole Accused

Vs.

1.State Rep. by
The Sub Inspector of Police,
Kalaiyarkoil Police Station,
Sivagangai District.
(In Cr.No.400 of 2018) ... 1st Respondent/Complainant

2.Gokila ... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the charge sheet in C.C.No.226 of 2019 for an alleged offence under Sections 294(b), 506 (ii) IPC and Section 4 of TNPHW Act on the file of the Judicial Magistrate No.1, Sivagangai and quash the same as illegal against the petitioner.

For Petitioner	:	Mr.M.Maran
For R1	:	Mr.R.M.Anbunithi
		Additional Public Prosecutor
For R2	:	Mr.S.M.Sanjai

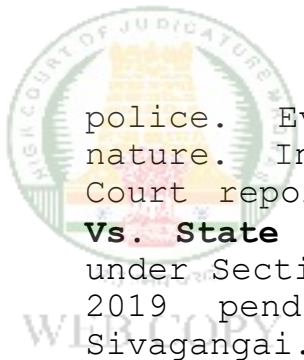
ORDER

This Criminal Original Petition has been filed to quash the charge sheet in C.C.No.226 of 2019 on the file of the learned Judicial Magistrate No.1, Sivagangai.

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.226 of 2019 pending on the file of the learned Judicial Magistrate No.1, Sivagangai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.226 of 2019, on the file of the learned Judicial Magistrate No.1, Sivagangai, is quashed insofar as the petitioners alone and the terms of joint compromise memo 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 26.04.2022 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 (T&P)

// True Copy //

20/04/2022

Sub Assistant Registrar(CS)

vsd

Encl:Photocopy 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 I,Sivagangai.
- 2.The Sub Inspector of Police,
Kalaiyarkoil Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Joint Secretary to Government,
CMPRF (Finance Department),
Secretariat Branch, Chennai-9.

+1 CC to M/s.M. MARAN, Advocate (SR-19325[F] dated 19/04/2022)

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19.04.2022