



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.6486 of 2022

and

Crl.M.P(MD)Nos.4495 and 4497 of 2022

- 1.Mathan @ Micheal Mathan
- 2.Jegathees
- 3.S.Jeyanth Peter
- 4.Arokiaruban
- 5.Sahaya Arul Daniel
- 6.Narayanan
- 7.Jeyaraj

... Petitioners/Accused Nos.1 to 7
Vs.

- 1.State Rep. by
The Deputy Superintendent of Police,
Cheranmahadevi Division,
Tirunelveli.

- 2.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.

(Crime No.120 of 2015)

... 1st & 2nd Respondents/Complainant

3. Ganesan @ Kanagaraj

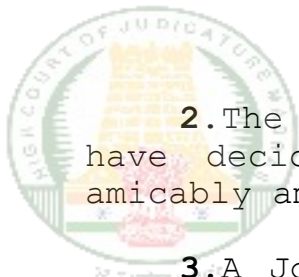
... 3rd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records relating to the impugned charge sheet in S.C.No.90 of 2017 on the file of the II Additional District & Sessions Judge (PCR Court), Tirunelveli and to quash the same insofar as the petitioner concerned.

For Petitioners : Ms.L.Juliet Caroline
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
for R.1 & R2
: Mr.R.Senthil Kumar for R3

ORDER

This Criminal Original Petition has been filed to quash the charge sheet in S.C.No.90 of 2017 on the file of the learned II Additional District & Sessions Judge (PCR 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 petitioners and the third 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 S.C.No.90 of 2017 pending on the file of the learned II Additional District & Sessions Judge (PCR Court), Tirunelveli.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.90 of 2017, on the file of the learned II Additional District & Sessions Judge (PCR Court), Tirunelveli, 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 25.04.2022 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. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

19/04/2022

Sub Assistant Registrar(CS-III)

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.



ENCL:Xerox Copy of Joint Compromise Memo

To

- 1.The II Additional District & Sessions Judge (PCR Court),
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Cheranmahadevi Division,
Tirunelveli.
- 3.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:-

THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
FINANCE(CMPRF) DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI 600 009.

+1 CC to M/s.L. JULIET CAROLINE, Advocate (SR-18642[F]
dated 13/04/2022)

Crl.O.P(MD)No.6486 of 2022

and

Crl.M.P(MD)Nos.4495 and 4497 of 2022

13.04.2022

ARK(CO)

GC(19.04.2022) 3P 7C