



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.6732 of 2022

1.Selvaraj
2.Pandiaraj @ Pandi ... Petitioners/ Accused 1&2

Vs.

1.The State represented by
The Sub Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.
(Crime No.526 of 2015) ... 1st Respondent/Complainant

2.Sudalaimani ... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records and quash the Charge Sheet filed by the first respondent Police in C.C.No.331 of 2019 on the file of the learned Judicial Magistrate Court No.I, Thoothukudi, Thoothukudi District.

For Petitioners : Mr.N.Pragalathan

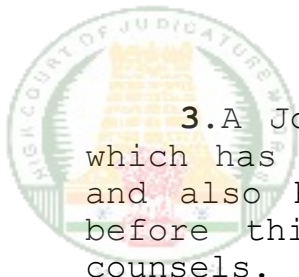
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor for R.1

Mr.K.Muthurakkan for R.2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.331 of 2019 on the file of the learned Judicial Magistrate Court No.I, Thoothukudi, Thoothukudi District.

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. 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.331 of 2019 on the file of the learned Judicial Magistrate Court No.I, Thoothukudi, Thoothukudi District, 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.331 of 2019.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.331 of 2019 on the file of the learned Judicial Magistrate Court No.I, Thoothukudi, Thoothukudi District, 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) 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 (CO)

// True Copy //

19/04/2022

Sub Assistant Registrar(CS)

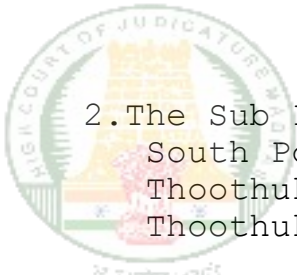
Mga

Enclosed herewith Copy of the Joint Compromise Memo

Note:1. 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 No.I,
Thoothukudi,
Thoothukudi District,



2.The Sub Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.

3.The Joint Secretary to Government,
Chief Minister Public relief fund,
Secretariat,
Chennai-9.

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

+1 CC to M/s.N. PRAGALATHAN, Advocate (SR-18274[F] dated 12/04/2022
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Crl.O.P(MD)No.6732 of 2022
11.04.2022

RD(19.04.2022) 3P 6C