



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.6731 of 2022

M.Muthukumar ... Petitioner/ Sole Accused

Vs.

1.The State represented by
The Inspector of Police,
Vaigai Dam Police Station,
Theni District. ... Respondent/ Complainant

2.G.Regupathy ... Respondent/
Defacto Complainant

3.G.Bakkiyalakshmi ... Respondent/ Victim

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in C.C.No.89 of 2021 pending on the file of the learned Judicial Magistrate Court, Andipatti, Theni and quash the same.

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

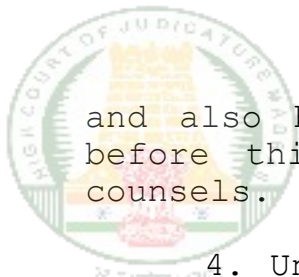
Mr.M.Sethupathi
for R2 & R3

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.89 of 2021 pending on the file of the learned Judicial Magistrate Court, Andipatti, Theni.

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 petitioner and the respondents 2 and 3



and also by their respective counsel. The parties were present before this Court and they were identified by their respective counsels.

4. Under such circumstances, no useful purpose will be served in keeping the C.C.No.89 of 2021 pending on the file of the learned Judicial Magistrate Court, Andipatti, Theni, 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.89 of 2021 pending on the file of the learned Judicial Magistrate Court, Andipatti, Theni.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.89 of 2021 pending on the file of the learned Judicial Magistrate Court, Andipatti, Theni, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, to the 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: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,
Andipatti,
Theni.



2.The Inspector of Police,
Vaigai Dam Police Station,
Theni 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.K. DINESH, Advocate (SR-18021[F] dated 12/04/2022)

Crl.O.P(MD)No.6731 of 2022
11.04.2022

RD(19.04.2022) 3P 6C