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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.6902 of 2022
and
Crl.M.P(MD)Nos.4767 and 4769 of 2022

S.Akash ...Petitioner/Sole Accused

Vs.

1.State rep. by
The Inspector of Police,
Traffic Investigation Wing(TIW)-II Police Station
Madurai City,
(Crime No.212 of 2021) ... 1st Respondent / Complainant

2.T.Prema ... 2nd Respondents / Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the charge sheet in C.C.No.404 of 2022 pending on the file of the learned Judicial Magistrate No.II, Madurai, in Crime No.212 of 2021, dated 11.10.2021 for an alleged offence under Sections 279 and 304(A) of IPC and quash the same as illegal as far as the petitioner is concerned.

For Petitioner : Mr.T.Thirumurugan

For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.404 of 2022 pending on the file of the learned Judicial Magistrate No.II, Madurai, for an alleged offences under Sections 279 and 304(A) of IPC.

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 petitioner 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**

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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.404 of 2022 pending on the file of the learned Judicial Magistrate No.II, Madurai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.404 of 2022 pending on the file of the learned Judicial Magistrate No.II, Madurai, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order. Further, the petitioner shall pay a sum of Rs.**5,000**/- 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 **22.04.2022** 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, the connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Encl.: xerox copy of Joint Compromise memo.

To

1. The Judicial Magistrate No.II, Madurai.

2. The Inspector of Police,
   Traffic Investigation Wing(TIW)-II Police Station
   Madurai City.

3.The Officer Incharge,
  Chief Ministers Public Relief Fund,
  Finance(CMPRF) Department, Government of Tamil Nadu,
  Secretariat, Chennai 600 009.

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

+1 CC to M/s.T. THIRUMURUGAN, Advocate (SR-19092[F] dated 18/04/2022)

Crl.O.P.(MD).No.6902 of 2022
13.04.2022

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