



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD) No.7117 of 2022

WEB COPY

1.Jerlin Jacob
2.Julious
3.Arun David
4.Ashish Jackson
5.Gifton Daniel
6.Lambert @ Lambert Rajaprakash
7.Ninu Jeyasingh
8.Selvin
9.Nibu Jeyasingh
10.Deen @ Dean Andrew Kumar ...Petitioners/A1, A2, A4, A6, A8,
A10, A12, A13, A14, A15

Vs.

1.The State of Tamil Nadu rep. by
The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
(Crime No.887/2015) ... Respondent/Complainant

2.L.Sahaya Naveen ...2nd Respondent/Defacto Complainant

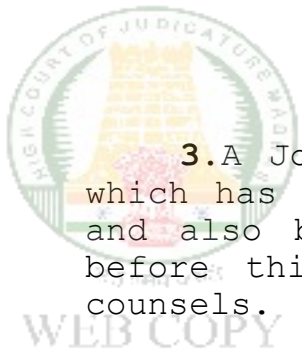
PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in P.R.C No. 28/2020 on the file of the learned Judicial Magistrate, Eraniel 1, Kanyakumari district and quash the same as illegal and devoid of merits in the petitioners concern.

For Petitioners : Mr.D.Christenson Jugunu
For Respondent : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor
For Respondent : Mr.S.Ramakrishnan
No.2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in P.R.C No. 28/2020 on the file of the learned Judicial Magistrate, Eraniel 1, Kanyakumari district.

2.The case is under committal. 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.

4. Under such circumstances, no useful purpose will be served in keeping the P.R.C No. 28 of 2020 on the file of the learned Judicial Magistrate, Eraniel 1, Kanyakumari 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 Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the charge sheet in PRC No. 28 of 2020.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C No. 28 of 2020 on the file of the learned Judicial Magistrate, Eraniel 1, Kanyakumari district, is quashed in so far as the petitioners alone 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 **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 28.04.2022 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 //

/ /2022

Sub Assistant Registrar(CS)

aav

ENCL:Xerox Copy of Joint Compromise Memo

To

1.The Judicial Magistrate,
Eraniel 1, Kanyakumari District.

2.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

<https://hcservices.ecourts.gov.in/hcservices/>



3. 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.D. CHRISTEN SON JUGUNU, Advocate (SR-19579[F]
dated 20/04/2022)

+1 CC to M/s.S. RAMAKRISHNAN, Advocate (SR-19580[F]
dated 20/04/2022)

CrI.O.P.(MD) No.7117 of 2022
19.04.2022

nsn(CO)
GC(25.04.2022) 3P 7C