



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.7359 of 2022

John Pritto

...Petitioner/Accused No.4

Vs.

1.The State of Tamil Nadu, Rep by,
The Inspector of Police
Mondaikadu Police Station
Mondaikadu
Kanyakumari District
(Crime No.129 of 2020)

...Respondent/Complainant

2. Justus

...Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to to call for the records pertaining to the charge sheet in CC No.15 of 2021 on the file of the learned Judicial Magistrate, Eraniel inso fas the petitioner /A4 is concerned.

For Petitioners	:	Mr.A.Rajkumar Sen
For Respondents	:	Mr.R.M.Anbunithi
No.1		Additional Public Prosecutor
No.2	:	Mr.C.R.Nirmal

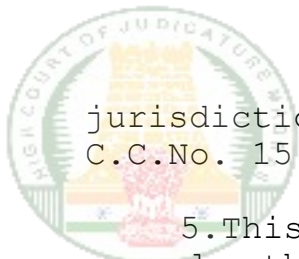
ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC No.15 of 2021 on the file of the learned Judicial Magistrate, Eraniel .

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 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 CC No.15 of 2021 on the file of the learned Judicial Magistrate, Eraniel, 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 C.C.No. 15 of 2021

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No.15 of 2021 on the file of the learned Judicial Magistrate, Eraniel, 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 credit of Government of Tamil Nadu, CMPRF in IOB**, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) or before 13.05.2022 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 (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

aav

ENCL:Xerox Copy of Joint Compromise Memo

To

1. The Judicial Magistrate, Eraniel
2. The Inspector of Police
Mondaikadu Police Station
Mondaikadu
Kanyakumari District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court

COPY TO:-

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

Crl.O.P. (MD) No.7359 of 2022
27.04.2022

KS (CO)

GC (02.05.2022) 2P 5C