



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2022

CORAM:

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

CrI.O.P.(MD) .No.6934 of 2022

and

CrI.M.P(MD)Nos.4785 and 4786 of 2022

C.Sivakumar

...Petitioner/Sole Accused

Vs.

1.State through

The Inspector of Police,
Sivagangai Town Police Station
Sivagangai District.
(Crime No.600/2015)

... 1st Respondent / Complainant

2.Vinodh Kanna

... 2nd Respondents / Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the charge sheet in C.C.No.3/2017 on the file of the learned Judicial Magistrate No.I, Sivagangai District in Crime No.600/2015, dated 10.09.2015 and quash the same.

For Petitioner : Mr.R.Anandharaj

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

For R-2 : Mr.K.Suyambulinga Bharathi

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.3/2017 on the file of the learned Judicial Magistrate No.I, Sivagangai District, for an alleged offences under Sections 420 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 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.3/2017 on the file of the learned Judicial Magistrate No.I, Sivagangai District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.3/2017 on the file of the learned Judicial Magistrate No.I, Sivagangai District, 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(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Encl.: xerox copy of Joint Compromise memo.

To

1. The Judicial Magistrate No.I, Sivagangai.

2. The Inspector of Police,
Sivagangai Town Police Station
Sivagangai District.

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.R. ANANDHARAJ, Advocate (SR-18921[F] dated
18/04/2022)

Cr1.O.P.(MD) .No.6934 of 2022
13.04.2022

ark(CO)
TR(19.04.2022) 3P 6C