



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.7127 of 2022

WEB COPY

1.Murugan
2.Saravanakumar
3.Arunpandi

... Petitioners/Accused Nos.1 to 3

Vs.

1.The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District.
(In Crime No.1007 of 2021). ... 1st Respondent/Complainant

2.Thirumurugan ... 2nd Respondent/
Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the charge sheet in C.C.No.182 of 2021 on the file of the learned Judicial Magistrate, Aranthangi in Crime No.1007 of 2021, dated 08.09.2021 on the file of the first respondent for the offence under Section 392 of I.P.C and quash the same.

For Petitioners : Mr.K.C.Maniyarasu

For R - 1 : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

For R - 2 : Mr.A.Kalidass

ORDER

The Criminal Original Petition has been filed to quash the proceedings as against the petitioners in C.C.No.182 of 2021 for the offence under Section 392 of I.P.C pending on the file of the learned Judicial Magistrate, Aranthangi.

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 petitioners and the second respondent and also by their respective counsel.



4. Under such circumstances, no useful purpose will be served in keeping the proceedings in C.C.No.182 of 2021 on the file of the learned Judicial Magistrate, Aranthangi, in Crime No.1007 of 2021, dated 08.09.2021, 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 C.C.No.182 of 2021.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.182 of 2021 on the file of the learned Judicial Magistrate, Aranthangi, in Crime No.1007 of 2021, dated 08.09.2021 is quashed 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 credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172)** on or before 29.04.2022 and produce the receipt before the concerned Magistrate, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ps

Encl.: xerox copy of 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, Aranthangi.

2.The Inspector of Police,
Aranthangi Police Station,
Aranthangi, Pudukkottai 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.K.C.MANIYARASU, Advocate (SR-20828[F] dated
25/04/2022)

Order made in
CrI.O.P (MD)No.7127 of 2022
22.04.2022

PK (CO)
TR(25.04.2022) 3P 6C