



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.7238 of 2022

Harika

... Petitioner/Sole Accused

Vs.

1.The State represented by
The Inspector of Police,
Anna Nagar Police Station,
Madurai City.

(In Crime No.1987 of 2021).

... 1st Respondent/Complainant

2.Kalyanasundaram

... 2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the charge sheet in C.C.No.379 of 2022 on the file of the learned Judicial Magistrate No.VI, Madurai.

For Petitioner : Mr.P.Pandirani

For R - 1 : Mr.R.M.Anbunithi
Additional Government Pleader

For R - 2 : Mr.D.Gnanasekaran

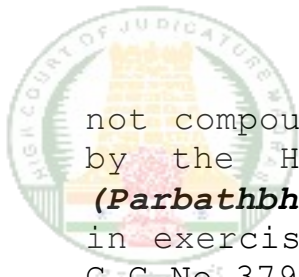
ORDER

The Criminal Original Petition has been filed to quash the proceedings as against the petitioner in C.C.No.379 of 2022 for the offence under Section 380 of I.P.C pending on the file of the learned Judicial Magistrate No.VI, Madurai.

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.

4.Under such circumstances, no useful purpose will be served in keeping the proceedings in C.C.No.379 of 2022 on the file of the learned Judicial Magistrate No.VI, Madurai, in Crime No.1987 of 2021, dated 20.11.2021, 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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes C.C.No.379 of 2022.

WEB COPY

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.379 of 2022 on the file of the learned Judicial Magistrate No.VI, Madurai, in Crime No.1987 of 2021, dated 20.11.2021, 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)** 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 (P & A)

// True Copy //

25/04/2022

Sub Assistant Registrar(CS)

(*) Enclosed herewith The 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 No.VI,
Madurai.
- 2.The Inspector of Police,
Anna Nagar Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



4.The Officer Incharge,
Chief Minister Public Relief Fund,
Government of Tamil Nadu,
Secretariat, Chennai-9.

WEB COPY

+1 C.C. TO M/S.C.SENTHIL MURUGAN, ADVOCATE S.R.NO.20631 (F) ,
DATED : 22.04.2022.

Order made in
Crl.O.P (MD) No.7238 of 2022
22.04.2022

RS (25.04.2022) 3P-6C