



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.7303 of 2022

H.Ajees @ Abdul Ajees ... Petitioner/Accused No.5

Vs.

1. The State represented by
The Inspector of Police,
Pattukottai Police Station,
Thanjavur.
(Crime No.536 of 2015) ... 1st Respondent/Complainant

2. J.Vaithiyanathan ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the impugned Charge Sheet in S.C.No.87 of 2022 pending on the file of the learned SubOrdinate Judge's Court, Pattukottai, Thanjavur District, in Crime No.536 of 2021 U/s 147, 148, 341, 294(b) and 307 of IPC r/w 3(1) of PPDL Act on the file of the first respondent police and quash the same.

For Petitioner : Mr.K.Dinesh
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor (Criminal Side)
for R.1
Mr.M.Rupan for R.2

ORDER

This Criminal Original Petition has been filed to quash the proceedings in S.C.No.87 of 2022 pending on the file of the learned Sub-Ordinate Judge's Court, Pattukottai, Thanjavur District.

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 Gujrath)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in S.C.No.87 of 2022 pending on the file of the learned Sub-Ordinate Judge's Court, Pattukottai, Thanjavur District.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.87 of 2022 pending on the file of the learned Sub-Ordinate Judge's Court, Pattukottai, Thanjavur District, is quashed insofar as the petitioner alone and the terms of joint compromise memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as cost, 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 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.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

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.

ENCL:Xerox Copy of Joint Compromise Memo

To

1.The Sub-Ordinate Judge's Judge,
Pattukottai,
Thanjavur District.

2.The Inspector of Police,
Pattukottai Police Station,
Thanjavur.

<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.K. DINESH, Advocate (SR-20226[F] dated 21/04/2022)
CrI.O.P (MD)No.7303 of 2022
20.04.2022

ss (CO)
GC (21.04.2022) 3P 6C