



WEB COPY

Crl.O.P.(MD)



'22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) No.7718 of 2022

and

Crl.M.P (MD) Nos.5268 & 5269 of 2022

Vignesh Raj @ Vicky

... Petitioner/Sole Accused

Vs.

1.The State represented by
The Inspector of Police,
All Women Police Station,
Tiruchendur,
Tuticorin District.
(Crime No.530 of 2015).

... 1st Respondent/Complainant

2.P.Jeyanthi

...2nd Respondent/Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the entire records pertaining to **(*)Spl.S.C.No.212 of 2019** on the file of the learned **(*)District and Sessions Judge, Tuticorin** and quash the same.

For Petitioner

: Mr.Niranjana S.Kumar

For R - 1

: Mr.R.M.Anbunithi

Additional Government Pleader

ORDER

The Criminal Original Petition has been filed to quash the proceedings as against the petitioner in **(*)Spl.S.C.No.212 of 2019** for the offences under Section 366 of I.P.C and Sections 5(1) and 6 of POSCO Act in Crime No.530 of 2015, dated 18.12.2015 pending on the file of the learned **(*)District and Sessions Judge, Tuticorin**.

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 victim and also by the counsel.

4. Under such circumstances, no useful purpose will be served in keeping the proceedings in **(*)Spl.S.C.No.212 of 2019** on the file of the learned **(*)District and Sessions Judge, Tuticorin**, in Crime No.530 of 2015, dated 18.12.2015, 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 !-
(**Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarath**), this Court
in exercise of its jurisdiction under Section 482 Cr.P.C. quashes
(*)**Spl.S.C.No.212 of 2019**.

5.This Criminal Original Petition stands allowed and as a
sequel, the proceedings in (*)**Spl.S.C.No.212 of 2019** on the file of
the learned (*)**District and Sessions Judge, Tuticorin**, in Crime
No.530 of 2015, dated 18.12.2015, 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 04.05.2022 and produce the receipt
before the concerned Magistrate, failing which the order shall stand
dismissed automatically without any further reference to this Court.
Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CO)

(*)**Corrected as per order of this
Hon'ble Court dated 15.06.2022 in
CRL MP(MD)No.6592 of 2022 in
CRL OP(MD)No.7718 of 2022**

Sd/-

Assistant Registrar (CO)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

ps

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

(*)**To be Substituted the order already despatched
on 27.04.2022**

1.The Judge,
The Mahila Court,
Tuticorin.

<https://www.mhc.tn.gov.in/judis>



2.The District and Sessions Judge,
Tuticorin.

3.The Inspector of Police,
All Women Police Station,
Tiruchendur,
Tuticorin District.

4.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.NIRANJAN. S.KUMAR, Advocate (SR-21430[F]
dated 26/04/2022)

Order made in
CrI.O.P (MD) No.7718 of 2022
26.04.2022

kg (CO)
GC (27.04.2022) 3P 6C
GC (01.07.2022) 3P 7C