



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.7376 of 2022

1.K.Balamurugan
2.P.Kandasamy
3.K.Valarmathi
4.S.Rajendran
5.R.Nagajothi

...Petitioners/Accused Nos.1 to 5

Vs.

1.State rep. by
The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai City, Madurai.
(Cr.No.12 of 2021)

... 1st Respondent/Complainant

2.Muthulakshmi

... 2nd Respondent/*De facto* Complainant

3.xxx

Madurai.

...3rd Respondent/Victim

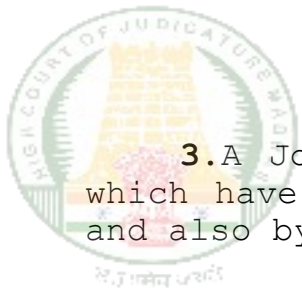
Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in Spl.S.C.No.164 of 2021, pending on the file of the Principal Special Court for Exclusive trial of case under POSCO Act, Madurai and quash the same.

For Petitioners	:	Mr.K.Dinesh
For R1	:	Mr.R.M.Anbunithi
		Additional Public Prosecutor
For R2	:	Mr.P.Karthick
For R3	:	Mr.M.Rupan

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.164 of 2021 on the file of the Principal Special Court for Exclusive trial of case under POSCO Act, 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 have been signed by the petitioners and the third 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 Spl.S.C.No.164 of 2021 on the file of the Principal Special Court for Exclusive trial of case under POSCO Act, Madurai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.164 of 2021 on the file of the Principal Special Court for Exclusive trial of case under POSCO Act, Madurai, is quashed insofar as the petitioners alone and the terms of joint compromise memo 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 01.05.2022 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 connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

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 Principal Special Court for Exclusive trial of case under POSCO Act, Madurai.



2.The Inspector of Police,
All Women Police Station,
Thiruparankundram,
Madurai City, Madurai.

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.

CrI.O.P(MD)No.7376 of 2022
22.04.2022

ARK(CO)
TR(25.04.2022) 3P 5C