



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.7749 of 2022

1. Vellaiah Nadar

2. M.Rajalinga Durai

...Petitioners/2nd & 3rd Accused

Vs.

1. The Inspector of Police

District Crime Branch

Thoothukudi District

(Crime No.62 of 2014)

...Respondent/Complainant

2.K.Sakthilingam

...Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in connection with the impugned charge sheet in CC No.1497 of 2017 on the file of the learned Judicial Magistrate No.IV, Thoothukudi and quash the same in so far as the petitioners is concerned.

For Petitioners : Mr. A.S.Vaigunth

For Respondents : Mr.R.M.Anbunithi
No.1 Additional Public Prosecutor

No.2 : Mr.P.Veerapandi

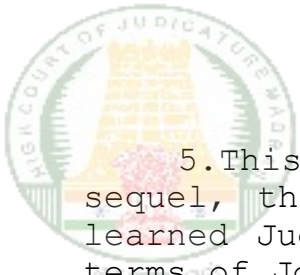
ORDER

The Criminal Original Petition has been filed to quash the proceedings in CC No.1497 of 2017 on the file of the learned Judicial Magistrate No.IV, Thoothukudi.

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. The parties were present before this Court and they were identified by their respective counsels.

4. Under such circumstances, no useful purpose will be served in keeping the CC No.1497 of 2017 on the file of the learned Judicial Magistrate No.IV, Thoothukudi, 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 C.C.No. 1497 of 2017.



5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No.1497 of 2017 on the file of the learned Judicial Magistrate No.IV, Thoothukudi, 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) or before 13.05.2022 and produce the receipt before the concerned court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Encl: Photocopy of Compromise Memo Enclosed.

To

1. The Judicial Magistrate No.IV, Thoothukudi
2. The Inspector of Police
District Crime Branch
Thoothukudi District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court
4. The Joint Secretary to Government,
CMPRF (Finance Department),
Secretariat Branch,
Chennai-9.

+1 CC to M/s.A.S. VAIGUNTH, Advocate (SR-21683[F] dated 27/04/2022)

Cr1.O.P.(MD) No.7749 of 2022
26.04.2022

MGJ(29.04.2022) 2P 6C