



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.8184 of 2022

M.Manickam

... Petitioner/Sole Accused

Vs.

1.State through

The Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai District.
(Cr.No.12 of 2019)

...1st Respondent/Complainant

2.xxxxxx,

xxxxx,
xxxxxxx,
Madurai.

... 2nd Respondent/
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records connected with the charge sheet in Spl.S.C.No.57 of 2021 on the file of the District Mahila Court, Madurai and quash the same as illegal.

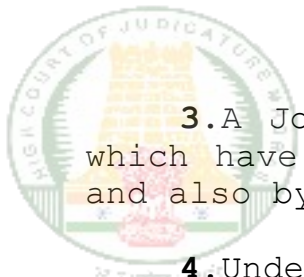
For Petitioner : Mr.R.Alagumani

For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor
(Crl.side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings as against the petitioner in Spl.S.C.No.57 of 2021 on the file of the District Mahila Court, 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 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 proceedings in Spl.S.C.No.57 of 2021 on the file of the District Mahila Court, Madurai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.57 of 2021 on the file of the District Mahila Court, Madurai, 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 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 08.05.2022 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.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

Enclose 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 Judge,
District Mahila Court, Madurai.

2.The Inspector of Police,
All Women Police Station,
Salem District, Madurai District.

<https://hcservices.salem.gov.in/hcservices/>



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

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The Finance Secretary (CMPRF),
Government of Tamil Nadu,
Chennai-600 009.

Crl.O.P (MD)No.8184 of 2022
28.04.2022

RK(02/05/2022) 3P 5C