



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD).No.7966 of 2022

1.S.Karuppiah

2.K.Lakshmi

...Petitioners/Accused Nos 1 & 2

Vs.

1.State through

The Inspector of Police,
Kalaiyarkovil Police Station
Sivagangai District
(Crime No.208/2018)

... Respondent/De jure Complainant

2.M.Nagavalli

...Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the entire records connected with the case in S.C.No.22 of 2021 pending on the file of the learned Chief Judicial Magistrate, Sivagangai and quash the same.

For Petitioners	: Mr.S.Malaikani
For R-1	: Mr.R.M.Anbunithi
	Additional Public Prosecutor
For R2	: Mr.P.Devarajan

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in S.C.No.22 of 2021, pending on the file of the learned Chief Judicial Magistrate, Sivagangai for an alleged offences under Sections 294(b), 324, 307 and 34 of IPC.

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 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.22 of 2021, pending on the file of the learned Chief Judicial Magistrate, Sivagangai.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.22 of 2021, pending on the file of the learned Chief Judicial Magistrate, Sivagangai, is quashed insofar as the petitioners alone and the terms of joint compromise memo shall form part and parcel of this order. Further, the petitioners shall pay a sum of Rs.5,000/- 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 **20.05.2022** 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 (CO)

// True Copy //

04/05/2022

Sub Assistant Registrar(CS-II)

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ENCL:Xerox Copy of Joint Compromise Memo

To

1.The Chief Judicial Magistrate, Sivagangai.

2.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

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.

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