



Crl.O.P.(MD)No.6554 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.11.2022**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Crl.O.P.(MD)No.6554 of 2019

- 1.Kutti @ Duraipandian
- 2.Dinesh
- 3.Jegan
- 4.Veeran @ Madurai Veeran
- 5.Sendrayan
- 6.Murali
- 7.Prabakaran
- 8.Balamurugan
- 9.Sirajudeen
- 10.Raja
- 11.Shiek

... Petitioners / Accused Nos.1 to 11

/Vs./

- 1.The State Rep. by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
(Crime No.269 of 2008)

... 1st Respondent / Complainant

- 2.Elangovan

... 2nd Respondent / Defacto
Complainant

PRAYER:- Petition - filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the charge sheet in C.C.No.59 of 2008 on the file of the Judicial Magistrate Court, Nilakottai and quash the same as illegal.



Crl.O.P.(MD)No.6554 of 2019

For Petitioners : Mr.D.Senthil
For R1 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)
For R2 : Mr.V.Selva

ORDER

This Criminal Original Petition has been filed to quash the charge sheet in C.C.No.59 of 2008 for the offences under Sections 147, 148, 341, 323, 324, 332, 427, 294(b) and 307 of IPC and Section 3 of the TNPPDL Act, pending before the Judicial Magistrate Court, Nilakottai, in connection with Crime No. 269 of 2008 on the file of the 1st respondent.

2. The case is still at the stage of trial. The parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Compromise Memo dated 26.04.2019 filed by the petitioners along with the second respondent has been filed before this Court. The petitioners and the second respondent were also present before this Court at the time of hearing. In order to identify the respective parties, they have also produced the copies of the Aadhaar Cards and it is made part of the record. In the Joint Compromise Memo, it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their



CrI.O.P.(MD)No.6554 of 2019

issues in Crime No.269 of 2008. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. It is brought to the notice of this Court that the case is now pending before the Judicial Magistrate, Nilakottai, in P.R.C.No.10 of 2015.

5. Under such circumstances, no useful purpose will be served in keeping the case pending, 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)**, and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court, in exercise of its jurisdiction under Section 482 Cr.P.C., quashes the P.R.C.No.10 of 2015 pending before the Judicial Magistrate Court, Nilakottai.

6. This Criminal Original Petition stands allowed and as a sequel, the charge sheet in P.R.C.No.10 of 2015 pending before the Judicial Magistrate Court, Nilakottai, is quashed as against the petitioners herein and the terms of



Crl.O.P.(MD)No.6554 of 2019

Joint Compromise Memo dated 26.04.2019 shall form part and parcel of this order. Each of the petitioners shall pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the Mediation Centre attached to this Court, within a period of one week from the date of receipt of a copy of this order and shall file a compliance memo before the Registry.

02.11.2022

Internet :Yes/No
Index :Yes/No
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Crl.O.P.(MD)No.6554 of 2019

WEB **To:** COPY

- 1.The Judicial Magistrate,
Nilakottai.
- 2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.6554 of 2019

N.ANAND VENKATESH, J.

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Order made in
CrI.O.P.(MD)No.6554 of 2019

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02.11.2022