



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

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

Crl.O.P.(MD) No.7988 of 2022

1. Naveen Kumar
2. Ramakrishnan
3. S.Nagendran
4. Selvam @ VathilaiSelvam ...Petitioners/Accused 1 to 4

Vs.

1. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Nilakottai Sub-Division, Dindigul District.
2. The Inspector of Police,
Batlagundu police station,
Dindigul District.
(In Crime No.981 of 2021). ...Respondents/Complainant
- 3.Gowsalya ...Respondents/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records of Charge sheet in Spl.S.C.No.13 of 2022 on the file of the learned Principal District and Sessions Judge (Special Court for PCR Cases), Dindigul and quash the same.

For Petitioners : Mr.M.Maharaja

For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

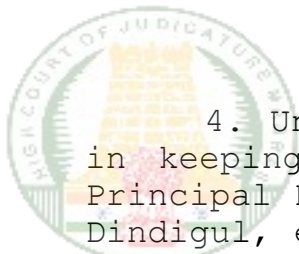
For R3 : Mr.R.Rajesh

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.13 of 2022 on the file of the learned Principal District and Sessions Judge (Special Court for PCR Cases), Dindigul.

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 Spl.S.C.No.13 of 2022 on the file of the learned Principal District and Sessions Judge (Special Court for PCR Cases), Dindigul, 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 Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the charge sheet in Spl.S.C.No.13 of 2022.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.13 of 2022 on the file of the learned Principal District and Sessions Judge (Special Court for PCR Cases), Dindigul, 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 (RTI)

// True Copy //

04/05/2022

Sub Assistant Registrar(CS)

pnn

Encl: Photocopy of Compromise Memo.

To

- 1.The Principal District and Sessions Judge
(Special Court for PCR Cases), Dindigul.
2. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Nilakottai Sub-Division, Dindigul District.
3. The Inspector of Police,Batlagundu police station,
Dindigul District.
- 4.The Joint Secretary to Government,
CMPRF (Finance Department),
Secretariat Branch,Chennai-9.
- 5.The Additional Public Prosecutor
Madurai Bench of Madras High Court,Madurai.

Crl.O.P. (MD) No.7988 of 2022

27.04.2022

MGJ(04.05.2022) 2P 6C

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