



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

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

Crl.O.P. (MD) .No.8324 of 2022

WEB COPY

1.Kumar

2.Karthik

3.Karmegam

...Petitioners/Accused Nos. 1,2 & 3

Vs.

1.The State rep. by
The Inspector of Police,
Orathanadu Police Station
Thanjavur District.
(Crime No.415/2017)

...Respondent/Complainant

2.Senthil Kumar

...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the case in C.C.No.67/2019, on the file of the learned Judicial Magistrate, Orathanadu, Thanjavur District may be quashed.

For Petitioners : Mr.M.Pitchai Muthu

For R-1 : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

For R-2 : Mr.P.Maharaja

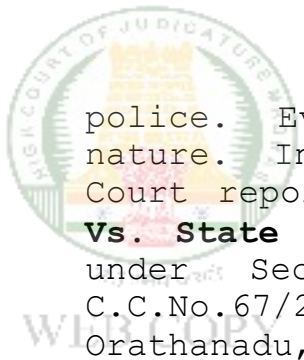
ORDER

The Criminal Original Petition has been filed to quash the charge sheet in C.C.No.67/2019, on the file of the learned Judicial Magistrate, Orathanadu, Thanjavur District for an alleged offences under Sections 294(b), 324 and 506(ii) 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 Gujraht)**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the Charge Sheet in C.C.No.67/2019, on the file of the learned Judicial Magistrate, Orathanadu, Thanjavur District.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.67/2019, on the file of the learned Judicial Magistrate, Orathanadu, Thanjavur District, 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 **30.05.2022** 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 (C.O)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Encl: Xerox copy of Compromise Memo.

To

1.The Judicial Magistrate, Orathanadu, Thanjavur District.

2. The Inspector of Police,
Orathanadu Police Station
Thanjavur District.

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

4.The Joint Secreatary to Government,
CMPRF(Finance Dept) Secretariat, Chennai - 09.

ORDER MADE IN
Crl.O.P. (MD) .No.8324 of 2022
29.04.2022

PKP/06.05.2022/2P/5C

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