



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.8564 of 2020

and

Crl.M.P(MD).Nos.4038 & 4039 of 2020

1.Ragul Navith
2.Arunsiya
3.Ajay
4.Karthikeyan

... Petitioners /
Accused Nos.1,3 to 5

Vs.

1.The State represented by
The Inspector of Police,
K.Pudur Police Station,
Madurai City,
(In Crime No.652 of 2018)

... 1st Respondent/
Complainant

2.Sowgath

... 2nd Respondent/
Defacto Complainant

3.Amith

... 3rd Respondent/
Injured

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the Charge Sheet in S.C.No.300 of 2019 on the file of the learned III Additional Assistant Sessions Judge, Madurai, and quash the same as illegal.

For Petitioners : Mr.C.Mayilvahana Rajendran
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor for R.1

Mr.V.Malaiyendran for R.2 & R.3

ORDER

The Criminal Original Petition has been filed to quash the charge sheet in S.C.No.300 of 2019, on the file of the first respondent police, for an alleged offences under Sections 147, 148, 341, 294(b), 323, 307, 506(2) 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 and third respondents 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.300 of 2019 pending on the file of the first respondent police.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.300 of 2019, on the file of the first respondent police, is quashed insofar as the petitioners alone and the terms of joint compromise memo 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 District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before 10.03.2022 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. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

ENCL.: XEROX 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 Inspector of Police,
K.Pudur Police Station,
Madurai City.

2.The District Siddha Medical Officer, CCRI, Periyakulam

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

+1 CC to M/s.C.MAYILVAHANA RAJENDRAN, Advocate (SR-8899[F] dated
25/02/2022)

+1 CC to M/s.C.MAYILVAHANA RAJENDRAN, Advocate (SR-8878[F] dated
25/02/2022)

Crl.O.P(MD)No.8564 of 2020
25.02.2022

KS (CO)
TR(01.03.2022) 3P 6C