



CrI.O.P.(MD) No.12196 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

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1. J.Arulpandian
2. K.Ramamoorthi
3. S. Uma Maheswari
4. R.Arulmozhi

...Petitioners

Vs.

1. The Inspector of Police
Paramakkudi Police Station,
Ramanathapuram District

2. Vijayakumar

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records connected with the case in PRC No.10 of 2020 pending on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District and quash the same so far the petitioners.

For Petitioners : Mr.S.Malaikani

For Respondent : Mr.E.Antony Sahaya Prabahar
No.1 Additional Public Prosecutor

For Respondent : Mr.S.Ramasamy
No.2



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ORDER

The Criminal Original Petition has been filed to quash the Charge Sheet in PRC No.10 of 2020 pending on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District, for the offences punishable under Sections 294(b),324,506(ii),307,147,148,326 and 149 of IPC, in Crime No.272 of 2018.

2.The case is under committal. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. It is reported that A2 died and A1 not present before this Court today, due to health condition.

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. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.K.Karthikeyan, SSI of Police, Paramakudi Town Police Station. This Court also enquired both the parties and was satisfied that



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the parties have come to an amicable settlement between themselves.

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4. In the instant case, the dispute is of personal in nature and counter case has also been registered and the parties had compromised , Where the parties have compromised the matter, the High Court has to power to quash the complaint for the offence under Sections 294(b), 324,506(ii),307,147,148,326 and 149 of IPC.

5. The legal position expressed by the Hon'ble Apex Court in the case of **Gian Singh vs. State of Panjab and another** reported in **(2012)10 SCC 303** and **Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath**) reported in **(2017)9 SCC 641** were taken into consideration.

6. In the light of the guidelines issued in the above said Judgments of the Hon'ble Apex Court, no useful purpose will be served in keeping the proceedings in PRC No.10 of 2020 pending on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District, even though, the offences involved are not compoundable in nature.



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7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in PRC No.10 of 2020 pending on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District is quashed and the terms of joint compromise memo shall form part and parcel of this order.

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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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To

1. The Judicial Magistrate,
Paramakudi, Ramanathapuram District
2. The Inspector of Police
Paramakkudi Police Station,
Ramanathapuram District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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V.SIVAGNANAM, J.

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