



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.13659 of 2020

1.Kalisaravanan
2.Mahendran @ Auto Mahendran
3.Raja
4.Sivanpandi
5.Kalidass
6.Ramkumar
7.Anand
8.Sundar @ Sundarraaj
9.Sathya @ Sathiyamoorthi ...Petitioners/Accused Nos.1, 4,
6, 7, 8, 10, 11, 12 & 13

Vs.

1.State rep. by
The Inspector of Police,
K.Pudur Police Station,
Madurai City.
(In Cr.No.578 of 2012) ... 1st Respondent/Complainant
2.Lakhsmi ...2nd Respondent/De facto Complainant
3.Alagarsamy ...3rd Respondent/Victim

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records in connection with charge sheet in C.C.No.278 of 2013 on the file of the Judicial Magistrate No.VI, Madurai and to quash the same.

For Petitioners : Mr.C.Mayilvahana Rajendran
For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor for R1
R2 & R3 : Mr.M.Lingadurai

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.278 of 2013 on the file of the learned Judicial Magistrate No.VI, Madurai.

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 C.C.No.278 of 2013 on the file of the learned Judicial Magistrate No.VI, Madurai.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.278 of 2013 on the file of the learned Judicial Magistrate No.VI, Madurai, 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 credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) on or before 03.05.2022 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. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

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.

ENCL:Xerox Copy of Joint Compromise Memo

To

1.The Judicial Magistrate No.VI,

Madurai.

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



2.The Inspector of Police,
K.Pudur Police Station,
Madurai City.

3.The Superintendent,
Central Prison,
Madurai.

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

COPY TO:-

THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
FINANCE(CMPRF) DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI 600 009.

+1 CC to M/s.C. MAYIL VAHANA RAJENDRAN, Advocate (SR-21652[F]
dated 27/04/2022)

Crl.O.P(MD)No.13659 of 2020
25.04.2022

srk(CO)
GC(27.04.2022) 3P 7C