



Crl.O.P.(MD) No.13988 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.(MD) No.13988 of 2022

Nataraj

... Petitioner

Vs

1. The Inspector of Police,
E 3 Anna Nagar Police Station, Madurai,
Madurai District (Crime No. 610 of 2019).

2. Kanagarajan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to quash the Charge Sheet in C.C.No.421 of 2020 on the file of the Judicial Magistrate No.6, Madurai and quash the same as illegal.

For Petitioner : Mr.B.Jeyakumar

For Respondent : Mr.A.Albert James (R1)
Government Advocate (Crl. Side)

Mr.S.Varatha Rajan (R2)



Crl.O.P.(MD) No.13988 of 2022

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ORDER

The Criminal Original Petition has been filed to quash the Charge Sheet in C.C.No.421 of 2020 pending on the file of the Judicial Magistrate, No.6, Madurai, for the offences punishable under Sections 294(b), 323, 506(i) IPC, in Crime No.610 of 2019.

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 petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.G.Krishnan, SI of Police, Annanagar (L&O), Madurai, as well as by the learned counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



Crl.O.P.(MD) No.13988 of 2022

WEB COPY

4. In the instant case, the dispute is of personal in nature 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), 323, 506(i) 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 C.C.No.421 of 2020 pending before the Judicial Magistrate No.6, Madurai, even though, the offences involved are not compoundable in nature.



Crl.O.P.(MD) No.13988 of 2022

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7. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.421 of 2020, on the file of the Judicial Magistrate No.6, Madurai is quashed and the terms of joint compromise memo shall form part and parcel of this order.

03.08.2022

Internet: Yes
Index: Yes/No

PNM

To

1. The Judicial Magistrate No.6, Madurai
2. The Inspector of Police,
Ramanathapuram AWPS Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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Crl.O.P.(MD) No.13988 of 2022

V.SIVAGNANAM, J.

PNM

ORDER IN

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