



CrI.O.P.(MD) No.14063 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

CrI.O.P.(MD) No.14063 of 2022

Vijay @ Vijay Thondaiman

... Petitioner

VS

1. The Sub Inspector of Police
Kandavarayanpatti Police Station
Sivagangai District

2.Rajasekaran

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to quash the charge sheet in CC No.49 of 2020 on the file of the District Munsif cum Judicial Magistrate Court, Thirupathur in so as the petitioner is concerned.

For Petitioner : Mr.P.R.Prithiviraj

For Respondent : Mr.A.Albert James
No.1 Government Advocate(CrI.Side)



CrI.O.P.(MD) No.14063 of 2022

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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.49 of 2020 on the file of the District Munsif cum Judicial Magistrate Court, Thirupathur, insofar as the petitioner is concerned.

2. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that now the complainant and the fourth accused/the petitioner herein have settled the matter out of Court and filed a joint memo of compromise, dated 04.08.2022. Further, the complainant now stated that the fourth accused is not involved in the case and also stated that this Court under Section 482 Cr.P.C is having inherent power to quash the case as against this petitioner alone.

3. On perusal of the records, it is seen that now the complainant stated that the fourth accused is not involved in this case, but in his complaint, he has specifically stated that the fourth accused assaulted him. Now, it is a false case against the fourth accused.



Crl.O.P.(MD) No.14063 of 2022

4. Now, the petitioner seeks to quash the proceedings as against him alone on the ground of compromise but in this case, five accused involved and specific overt act has been attributed as against all of them, specifically that this petitioner has assaulted the complainant. Hence, this is not a fit case to quash the proceedings as against one accused on the ground of compromise.

5. Therefore, I find no merit in this Criminal Original Petition and the same is dismissed.

04.08.2022

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

To

1. The Sub Inspector of Police
Kandavarayanpatti Police Station
Sivagangai District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD) No.14063 of 2022

V.SIVAGNANAM, J.

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