



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.15717 of 2021

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... Petitioner/Accused No.3

Vs

1.State rep. by

The Inspector of Police,
Panakudi Police Station,
Tirunelveli District.
(Crime No.471 of 2015)

... Respondent/Complainant

2.S.Arunkumar

... Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in connection with the impugned charge sheet in C.C.No.44 of 2018 dated 12.03.2018 on the file of the learned Judicial Magistrate Court, Vallioor and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.B.Thanga Aravindh

Govt. Advocate (Crl. Side) for R1

Mr.P.Veerapandi for R2

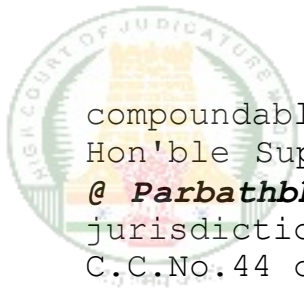
O R D E R

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.44 of 2018 on the file of the Judicial Magistrate, Vallioor.

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 has been signed by the petitioner and the second respondent and also by their respective counsel. The parties were present before this Court and they were identified by their respective counsels.

4. Under such circumstances, no useful purpose will be served in keeping the C.C.No.44 of 2018 on the file of the Judicial Magistrate, Vallioor, 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.44 of 2018.

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5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.44 of 2018 on the file of the Judicial Magistrate, Vallioor, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner 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 Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601, on or before on or before 30.03.2022 and produce the receipt before the concerned court, failing which the order shall stand dismissed automatically without any further reference to this Court.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Encl:Photocopy of Compromise Memo atttached.
To

1.The Judicial Magistrate,
Vallioor.

2.The Inspector of Police,
Panakudi Police Station,
Tirunelveli District.

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

4.The District Siddha Medical Officer,
CCRI, Periyakulam
through State Bank of India,
Periyakulam Branch bearing Account No.10767823177,
IFSC No.SBIN000898, MICR Code No.625002601.

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MGJ(23.03.2022) 2P 5C