



CrI.O.P.(MD) No.14811 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2022

CORAM:

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

CrI.O.P.(MD) No.14811 of 2022

and

CrI.M.P(MD) No.9640 of 2022

Ramji

... Petitioner

Vs.

1. The Inspector of Police
All Women Police Station
Paramakudi,
Ramanathapuram District

2.Priscilla Nancy

....Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records and quash the CC No.173 of 2021 on the
file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram
District

For Petitioner	: Mr.A.Anandaraj
For Respondents	: Mr.A.Albert James
No.1	Government Advocate (CrI.Side)
No.2	: Mr.M.Pavithran



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ORDER

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The Criminal Original Petition has been filed to quash the Charge Sheet in CC No.173 of 2021 on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District.

2.The case of the prosecution is that due to love affair between the petitioner and the defacto complainant there was miscommunication between the family members of both the parties, hence a case came to be registered. After investigation filed final report and the same has been taken cognizance.

3.The case is under trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

4. 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



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respondent were also present in person before this Court and they were identified by Mrs.Irualayee, WHC 553, All Women Police Station, Paramakudi, Ramanathapuram District 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.

5. In the instant case, the parties have compromised the matter. Where the parties have compromised the matter, the High Court has the power to quash the complaint for the offence under Sections 294(b), 506(2), 354A(1)(ii) and 354 D(1)(i) of IPC.

6. 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.



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7. 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 CC No.173 of 2021 on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District even though, the offences involved are not compoundable in nature.

8. Accordingly, this Criminal Original Petition stands allowed and as a sequel, the proceedings in CC No.173 of 2021 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. Consequently connected miscellaneous petition is closed.

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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
All Women Police Station
Paramakudi,
Ramanathapuram District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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V.SIVAGNANAM, J.

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