



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.15809 of 2020

1. Burma Rani @ Rani
2. Eswaran
3. Vaitheeswaran
4. Stalin
5. Pothi @ Pothiraja
6. Vellaisamy
7. Jayaprabhu
8. Mathan
9. Jameendar @ Kalyana Sundaram
10. Vignesh
11. Guna @ Gunasekaran
12. Chinnu @ Chinnathevar
13. Parthiban
14. Karuppaiya
15. Paramasivam

... Petitioners/Accused Nos. 1 to 15
Vs.

1. The State represented by
The Inspector of Police,
Chinnamanur Police Station,
Theni District.
(Crime No.655 of 2016)

... 1st Respondent/Complainant

2. Karuppayi (Died)

3. Perumal Chettiyar

... 2nd & 3rd Respondents/
Husband & L.R of Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the C.C.No. 131 of 2020 on the file of the learned Judicial Magistrate, Uthamapalayam and quash the same as against the petitioners herein.

For Petitioners : Mr.S.Ramu

For Respondents : Mr.K.Sanjai Gandhi

Government Advocate (Criminal Side)
for R.1

: Mr.C.Kathiravan

R3

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



ORDER

This Criminal Original Petition has been filed seeking a direction to quash the C.C.No. 131 of 2020 on the file of the learned Judicial Magistrate, Uthamapalayam.

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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 third respondent 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. 131 of 2020 pending on the file of the learned Judicial Magistrate, Uthamapalayam.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No. 131 of 2020 on the file of the learned Judicial Magistrate, Uthamapalayam, 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 27.04.2022 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.

Sd/-

Assistant Registrar (CO)

// True Copy //

19/04/2022

Sub Assistant Registrar(CS)

mga

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.

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



ENCL:Xerox Copy of Joint Compromise Memo

To

1. The Judicial Magistrate,
Uthamapalayam.
2. The Inspector of Police,
Chinnamanur Police Station,
Theni District.
3. 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.S. RAMU, Advocate (SR-17630[F] dated 08/04/2022)

Crl.O.P(MD)No.15809 of 2020

08.04.2022

SB(CO)

GC(19.04.2022) 3P 6C