



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.20381 of 2021

T.Thangaraj

... Petitioner/Accused No.9

Vs.

1.The State,

Represented by the Inspector of Police,
SIPCOT Police Station,
Manamadurai,
Sivagangai District.
(Crime No.108 of 2017).

... 1st Respondent/Complainant

2.Senthil @ Karuppusamy

... 2nd Respondent/Defacto Complainant

3.Sonaimuthu

... 3rd Respondent/Injured person

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to quash the charge sheet in P.R.C.No.1 of 2019 pending on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai insofar as the petitioner is concerned.

For Petitioner

: Mr.A.Karthik, Advocate

For R - 1

: Mr.K.Sanjai Gandhi

Government Advocate (Crl. Side)

For R - 2

: Mr.S.Vidhyasagar, Advocate

ORDER

The Criminal Original Petition has been filed to quash the proceedings as against the petitioner in P.R.C.No.1 of 2019 pending on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai.

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.

4.Under such circumstances, no useful purpose will be served in keeping the proceedings in P.R.C.No.1 of 2019 pending on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, 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 Gujrat)**, this Court in exercise of its



jurisdiction under Section 482 Cr.P.C. quashes the P.R.C.No.1 of 2019.

5.This Criminal Original Petition stands allowed and as a sequel, the proceedings in P.R.C.No.1 of 2019 on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai 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 23.02.2022.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

22/02/2022

Sub Assistant Registrar(CS)

(*) Enclosed herewith The Joint Compromise Memo

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.

To

- 1.The Additional District Munsif cum Judicial Magistrate,
Manamadurai.
- 2.The District Siddha Medical Officer,
CCRI, Periyakulam.
- 3.The Inspector of Police,
SIPCOT Police Station,
Manamadurai, Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.KARTHIK, Advocate (SR-7682[F] dated 22/02/2022)

**Order made in
Crl.O.P(MD)No.20381 of 2021
21.02.2022**