



Crl.O.P.No.10374 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:05.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 10374 of 2023

and

Crl.M.P.Nos.6694 & 6695 of 2023

Arulkumar

...Petitioner

Vs.

1. The Deputy Superintendent of Police,
Avinashi Sub Division, Avinashi Taluk,
Tiruppur District.

2. The Inspector of Police,
Avinashi Police Station,
Avinashi Taluk, Tiruppur District.

3. Maruthal

4. Sandhiya

...Respondents

PRAYER :Criminal Original Petition is filed under Section 482 of Cr.P.C., to quash the proceedings in Spl.S.C.No.1 of 2023 on the file of the Principal District Court, Tiruppur based on the compromise affidavit filed by the victim and the de-facto complainant and quash the same.

For Petitioner : Mr.D.Veerasekharan

For R1 & R2 : Mr.N.S.Suganthan
Government Advocate (Crl.Side)



Crl.O.P.No.10374 of 2023

WEB COPY

ORDER

This Criminal Original Petition has been filed to quash the the proceedings in Spl.S.C.No.1 of 2023 on the file of the Principal District Court, Tiruppur.

2. The petitioner is arrayed as the sole accused in the above said case and the trial is pending. 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 dated 19.04.2023 has been filed before this Court which have been signed by the petitioner and the third and fourth respondents and also by their respective counsel. All the parties are present and identified by their respective counsel. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



Crl.O.P.No.10374 of 2023

WEB COPY

4. Under such circumstances, no useful purpose will be served in keeping the proceedings pending, 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** in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath***, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings Spl.S.C.No.1 of 2023 on the file of the Principal District Court, Tiruppur.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Spl.S.C.No.1 of 2023 on the file of the Principal District Court, Tiruppur is quashed and the terms of Joint Memo of Compromise dated 19.04.2023, shall form part and parcel of this Order. Consequently, connected miscellaneous petitions are closed.

05.05.2023

Internet: Yes

Index : Yes/No

Speaking/Non speaking order

Note: Issue Order Copy on or before 09.05.2023

Page 3 of 4



WEB COPY



Crl.O.P.No.10374 of 2023

G.K.ILANTHIRAIYAN. J.

mfa

To

1. The Principal District Judge,
Principal District Court, Tiruppur.
2. The Deputy Superintendent of Police,
Avinashi Sub Division, Avinashi Taluk,
Tiruppur District.
3. The Inspector of Police,
Avinashi Police Station,
Avinashi Taluk, Tiruppur District.
4. The Public Prosecutor,
High Court,
Madras.

Crl.O.P.No. 10374 of 2023

and

Crl.M.P.Nos.6694 & 6695 of 2023

05.05.2023