



Crl.O.P.(MD)No.9210 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.05.2023

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.(MD)No.9210 of 2023

1.Ramar
2.Poosaiyan
3.Rajkumar

...Petitioners

Vs.

1.State rep by
The Inspector of Police,
Mallanginaru Police Station,
Virudhunagar District.
(Crime No.4 of 2022)

2.Siva @ Sivaperumal

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the charge sheet in C.C. No.337 of 2022 on the file of the learned Judicial Magistrate No.I, Virudhunagar and quash the same.

For Petitioners : Mr.S.Poornachandran

For R-1 : Mr.SS.Madhavan
Government Advocate (Crl. Side)

For R2 : Mr.S.Vijayakumar



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ORDER

The Criminal Original Petition has been filed to quash the proceedings in S.C.No.337 of 2022 on the file of the Judicial Magistrate No.I, Virudhunagar for the offence punishable under Sections 294(b) and 324 IPC.

2.The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. It is also submitted that the defacto complainant does not want to proceed the case further. To that effect, a Joint Memo of Compromise signed by the petitioners and the second respondent and also by their respective counsel has also been filed before this Court and the same is recorded.

3.The petitioners and the second respondent were also present in person before this Court and they were identified by the concerned Police Official. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



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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 (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)*, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in S.C.No.337 of 2022 pending on the file of the Judicial Magistrate No.I, Virudhunagar.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in S.C.No.337 of 2022 on the file of the Judicial Magistrate No.I, Virudhunagar, is quashed and the terms of joint compromise memo shall form part and parcel of this order.

18.05.2023

Index: Yes/No
Internet: Yes/No
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T.V.THAMILSELVI, J.,

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To

- 1.The Judicial Magistrate No.I, Virudhunagar.
- 2.The Inspector of Police,
Mallanginaru Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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