



Crl.O.P.(MD)No.21198 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.21198 of 2022

R.Vishnu Chakkaravarthy

... Petitioner

Vs.

1.The State represented by
The Inspector of Police,
South Gate Police Station,
Madurai City,
Madurai District.

2.Ponraj

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for records relating to the proceedings in C.C.No.1036 of 2022 on the file of the Judicial Magistrate No.IV, Madurai and quash all further proceedings as against the petitioner.

For Petitioner : Mr.S.Raja

For R1 : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)

For R2 : Mr.V.Nagendran



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Crl.O.P.(MD)No.21198 of 2022

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the proceedings in C.C.No.1036 of 2022 on the file of the learned Judicial Magistrate No.IV, Madurai and quash the same as against the petitioner.

2. The case of the prosecution is that there existed family dispute between the petitioner and the second respondent/defacto complainant, due to which, on 11.02.2022, the petitioner attacked the second respondent and caused injuries.

3. The learned counsel appearing for the petitioner would submit that the second respondent has lodged a complaint before the first respondent and on that basis, FIR came to be registered in Crime No.77 of 2022 dated 13.02.2022 and after investigation and filing of the final report, the same was taken cognizance in C.C.No.1036 of 2022 on the file of the Judicial Magistrate No.IV, Madurai, for the offences under Sections 325 and 506(1) IPC against the petitioner.



Crl.O.P.(MD)No.21198 of 2022

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

5. 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 counsels. The petitioner and the second respondent are present before this Court and and they were identified by Mr.M.Bala Subramanian, Special Sub Inspector of Police, B5 South Gate Police Station, Madurai City 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.

6. In the instant case, it is a family dispute and the parties had compromised. Where the parties have compromised the matter, the High Court has power to quash the complaint for the offences under Sections 325 and 506(1) IPC.

7. Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.1036 of 2022, on the file of the Judicial



Crl.O.P.(MD)No.21198 of 2022

Magistrate No.IV, Madurai, is quashed and the joint compromise memo shall form part and parcel of this order.

06.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Judicial Magistrate No.IV,
Madurai.
- 2.The Inspector of Police,
South Gate Police Station,
Madurai City,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.21198 of 2022



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Crl.O.P.(MD)No.21198 of 2022

K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.21198 of 2022

Dated: 06.02.2023