



CRL OP(MD). No.13811 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 06.09.2024

CORAM

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13811 of 2023

- 1.Stewart
 - 2.Michel Vimal
 - 3.Dalmeshan Peris
 - 4.Simson
 - 5.Sutharson
- ... Petitioners

Vs.

1. The State rep. by
The Inspector of Police
Thoothukudi South Police Station,
Thoothukudi District.
(In Crime No.687/2020).

2. Kirashiyo Sharon
- ... Respondents

PRAYER :- This Petition is filed under Section 482 Cr.P.C, to call for the records relating to the impugned charge sheet in C.C.No.639 of 2022 on the file of the Judicial Magistrate No.I, Thoothukudi and quash the same.

For Petitioners : Mr.S.Vishnuvardhan

For Respondents : Mrs.M.Aasha
Government Advocate (Crl.Side) for R1
: Mr.G.Sailendrababu for R2



CRL OP(MD). No.13811 of 2023

WEB COPY

ORDER

This Petition is filed to quash the charge sheet in C.C.No.639 of 2022 on the file of the Judicial Magistrate No.I, Thoothukudi.

2. The learned counsel for the petitioners seeks to quash the case on compromise.

3. A joint compromise memo is filed and the petitioners are also present before this Court. The second respondent is present virtually. The defacto complainant and the parties seemed to understand the compromise memo.

4. Considering the nature of offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) I.P.C and considering the allegations which are made and considering the facts and circumstances of the case that there is a private dispute between the parties, I am of the view that this is a fit case to be quashed, as per the dictum of the Honourable Supreme Court of India in ***Gian Singh vs State of Punjab & Another*** reported in ***2012(10) SCC-303***.

2/4



CRL OP(MD). No.13811 of 2023

WEB COPY

5. In view thereof, invoking the inherent power under Section 482 of the Code of Criminal Procedure Code. This Criminal Original Petition stands allowed and the proceedings the charge sheet in C.C.No.639 of 2022 on the file of the Judicial Magistrate No.I, Thoothukudi, shall stand quashed. The joint compromise memo shall form part and parcel of the order.

06.09.2024

Internet : Yes
Index : Yes/ No
NCC : Yes/No
LS

TO

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

3/4



WEB COPY



CRL OP(MD). No.13811 of 2023

D.BHARATHA CHAKRAVARTHY,J

LS

ORDER
IN
CRL OP(MD) .13811 of 2023

Date : 06.09.2024