



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

Crl.OP(MD)No.5364 of 2017

Kannan : Petitioner / Sole Accused

Vs.

1. State represented by  
The Inspector of Police,  
Kalakad Police Station,  
Tirunelveli District. : 1<sup>st</sup> Respondent / Complainant

2. Albina Kannika : 2<sup>nd</sup> Respondent / Defacto  
Complainant

**Prayer:** Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records pertaining to the Charge Sheet in C.C.No.105 of 2008, on the file of the learned Judicial Magistrate, Nanguneri and quash the same

For Petitioner : Mr.A.Mohamed Yusuf

For Respondent-1 : Mr.P.Kandasamy  
Government Advocate (crl.side)

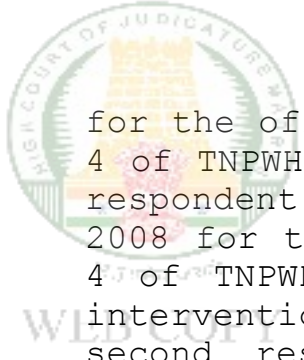
For Respondent-2 : Mr.K.Navaneetha Raja

**ORDER**

This Criminal Original Petition is filed praying to call for the records in C.C.No.105 of 2008, pending on the file of the learned Judicial Magistrate, Nanguneri and quash the same.

2. The petitioner and the second respondent are present before this Court along with their respective counsels. The learned Government Advocate (crl.side) appearing for the first respondent is also present.

3. The learned counsels appearing for the petitioner and the second respondent would submit that the first respondent has registered a case against the petitioner in Crime No.11 of 2008,



for the offences punishable under Section 325 of IPC., and Section 4 of TNPWH Act, on the basis of the complaint given by the second respondent herein. The case was taken cognizance in C.C.No.105 of 2008 for the offence under Sections 323, 325 of IPC., and Section 4 of TNPWH Act. He would further submit that now, with the intervention of the elders of the families, the petitioner and the second respondent settled the issues amicably and they also entered into a compromise. Since the parties have settled their disputes amicably, the defacto complainant, does not want to continue the criminal proceedings against the petitioner herein. Hence, the petitioner and the second respondent are seeking indulgence of this Court to record the compromise and to quash the proceedings in C.C.No.105 of 2008, pending on the file of the learned Judicial Magistrate, Nanguneri.

4. The learned Government Advocate (crl.side) appearing for the 1<sup>st</sup> respondent states that he has no objection to record the compromise, since the parties to the proceedings compromised the issues between themselves.

5. The Court heard the submissions of the respective parties, who appeared before this Court and their identification is also verified by their respective counsels. The learned counsels appearing on either side produced the Original Aadhaar Card of the petitioner, bearing No.4101 1510 4241 and the second respondent's Aadhaar Card, bearing No.2918 2917 7100, before this Court, for their identification.

6. Since the parties have settled their disputes amicably and they have also filed a 'Joint Compromise Memo', dated 25.04.2017 to that effect, this Court is of the view that there is no need to keep the proceedings in C.C.No.105 of 2008, pending on the file of the learned Judicial Magistrate, Nanguneri.

7. In the light of the compromise entered into between the parties, this Criminal Original Petition is allowed and the proceedings in C.C.No.105 of 2008, pending on the file of the learned Judicial Magistrate, Nanguneri, is hereby quashed. The 'Joint Compromise Memo', dated 25.04.2017, shall form part of the order.

Sd/-  
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar



To

1. The Judicial Magistrate,  
Nanguneri.

2. The Inspector of Police,  
Kalakad Police Station,  
Tirunelveli District.

3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.A.Mohamed Yusuf, Advocate Sr.No.55047

mpk

vb/mms/sar3/10.05.2017/3p/5c

**Cr1.OP(MD)No.5364 of 2017**

**Dated:-28.04.2017**