



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.9748 of 2020

WEB COPY

Sethupandi

... Petitioner/Sole Accused

vs.

1)The Inspector of Police,
Chekkanurani Police Station,
Madurai District.
(Crime No.992/2020)

2)Maari@Marriappan

... Respondents/Complainant &
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Crime No.992 of 2020 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.R.Ravichandran
For R1 : Mr.V.Neelakandan
Additional Public Prosecutor
For R2 : Mr.P.Andiraj

O R D E R

This Criminal Original Petition has been filed to call for the records in Crime No.992 of 2020 on the file of the 1st respondent police and quash the same.

2.The second respondent / defacto complainant as well as the petitioner/accused are present before this Court and they are identified by the respective learned counsel and both the parties have filed a joint compromise memo stating that the matter in issue between them has been amicably resolved and therefore, the second respondent / defacto complainant is not willing to prosecute the case and therefore would pray for quashing the FIR in Crime No.992 of 2020 on the file of the 1st respondent police.

3.The joint compromise memo reads as follows:-

'1.It is submitted that the 2nd respondent has lodged the complaint before the 1st respondent police, and the same was registered on 20.06.2020 for the above said offences. According to the prosecution case is that the 2nd respondent is a neighbor of the petitioner. On the date of occurrence the petitioner has trespassed into the house of the petitioner under the influence of alcohol



and attacked the second respondent with wooden log and caused injury.

2.It is submitted that the petitioners and the 2nd respondent are close relatives and this case of counter blast in Crime No.993 of 2020 on the file of the 1st respondent police.

3.It is submitted that after the incident the petitioner and the De-facto complainant-facto complainant has realized their mistake on advise of respective elders.

4.It is submitted that on reading of the First Information Report there is a simple injury caused upon the 2nd respondent due to that the 2nd respondent was advised by the elders to withdraw the criminal case which is against the petitioner and accordingly the 2nd respondent has agreed to withdraw the criminal case in Crime No. 992 of 2020 on the file of the 1st respondent police and the petitioner and the 2nd respondent were mutually shook their hands in the presence of the village meeting in the interest of their future life.

5.It is submitted that petitioner and the 2nd respondent are belong to same village. In the interest of the future their life, there was a village meeting was convened by the both side of the elders. During the meeting, the elders of the both sides were advised them and asked them buried their bitter experience and accordingly both the petitioner and the 2nd respondent has agreed to withdraw he criminal case is pending against petitioner and the respondent respectively.'

4.The compromise memo is filed before this Court and the parties along with their respective counsel are also present personally through video conference and the learned Additional Public Prosecutor would state that he has verified their identity.

5.In the result, by recording the compromise, the Criminal Original Petition is allowed and the impugned FIR in Crime No.992 of 2020 on the file of the 1st respondent, is quashed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1)The Inspector of Police,
Chekkanurani Police Station,
Madurai District.

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

ORDER MADE IN
Crl.O.P.(MD)No.9748 of 2020
DATED : 24.11.2020

SJ(CO)
KM (07.12.2020) 3P 3C