



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2020

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P (MD)No.10340 of 2020

WEB COPY

1.Balaji.K.
2.Esakkiammal
3.Kumarasamy : Petitioners/ Accused Nos.1 to 3

Vs.

1.State represented by
The Inspector of Police,
All Women Police Station,
Teskasi - 627 811.
(Crime No.15 of 2019). : 1st Respondent/ Complainant

2.Jeyabharathi,J. : 2nd Respondent/Defacto
Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the case in F.I.R.No.15 of 2019, dated 04.10.2019 pending on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.A.Antony Robson,

For 1st Respondent : Mr.M.V.Chandrasekaran,
Government Advocate, for R1.

For 2nd Respondent : Mr.J.Yesu Subanath

O R D E R

Heard both sides.

2.This Criminal Original Petition has been filed to quash the First Information Report in Crime No.15 of 2019, on the file of the first respondent police.

3.The second respondent / defacto complainant, as well as the petitioners/accused are present before this Court through video conference and they are identified by the respective learned counsel and both the parties have filed joint compromise memo stating that the matters 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.

4. The compromise memo is filed before this Court and the parties are also present personally along with their respective counsels and the learned Government Advocate would state that he has verified their identity. The relevant portion from the Joint Compromise Memo filed by the parties is extracted as under:

'1.The petitioner and the 2nd respondent submit that at the instance of the 2nd Respondent, the above said case in FIR.No.15 of 2019, pending on the file of the 1st Respondent Police under Section 294(b), 376, 417 and 506(2) of IPC has been registered against the Petitioners. When the above said case is pending investigation, since all of them are residing in the same village and in order to maintain cordial relationships and peace and harmony, both the parties arrived into an amicable settlement as a result of which the present Compromise Memo for quashing the above said case pending before this Hon'ble Court.

2.The petitioners and the 2nd Respondent further submit that during the pendency of the proceeding, as stated above and at the intervention of the elders of their villagers and well wishers, both the parties have sat together, in which an amicable conclusion has been arrived at and the 2nd Respondent has agreed to say no objection for the purpose of quashing the present criminal proceedings against the Petitioners herein."

5. In the result, by recording the compromise, this Criminal Original Petition is allowed and the proceedings in Crime No.15 of 2019, on the file of the first respondent police is quashed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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,
All Women Police Station,
Teskasi - 627 811.

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

+1 CC to M/s.A.ANTONY ROBSON, Advocate (SR-22479[F] dated
23/11/2020)

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SR(CO)
TR(03.12.2020) 3P 4C