



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.11363 of 2020

Vadivel

... Petitioner

Vs.

1. State represented by
The Inspector of Police
Virudhunagar West Police Station,
Virudhunagar.
(Crime No.465 of 2020)

...R-1/Complainant

2. Ramkumar

...R-2/Defacto complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Crime No.465 of 2020 pending on the file of the respondent police and quash the same as against the petitioner.

For Petitioner : Mr.P. Karthick
For R-1 : Mr.V.Neelakandan,
Additional Public Prosecutor
For R-2 : Mr.W.Pamelin

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.465 of 2020 pending on the file of the respondent police and quash the same as against the petitioner, for the offences under Sections 294(b), 166 of IPC and Section 4(1)(i) of Tamil Nadu Prohibition Act.

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.465 of 2020.



3.The compromise memo is filed before this Court and the parties along with their respective counsel are also present personally and the learned Government Advocate (Crl.side) would state that he has verified their identity.

4. The relevant portion from the Joint Compromise memo filed by the petitioner and the second respondent is extracted as under :

"3. It is submitted that the petitioner and second respondent are working in the same organization. It is also accepted fact that the petitioner is senior to the 2nd respondent. There is no personal animosity between the petitioner and the second respondent. Now the difference between the petitioner and the second respondent have been settled on the advice of the elders and well wishers and they have buried their differences and settled the matter amicably.

4. It is submitted that at the intervention and mediation by the elders the petitioner and second respondent were pacified and both of them have settled the issue amicably considering that the petitioner is taking Voluntary Retirement from the service and his undertaking to behave in disciplined manner. Now the petitioner and second respondent are living peacefully without any difference.

5. The second respondent submits that he has no objection to quash the proceedings in Cr.No.465 of 2020 pending on the file of the respondent police. "

5. In the result, by recording the compromise, the Criminal Original Petition is allowed and the impugned FIR in Crime No.465 of 2020 pending on the file of the respondent police, is hereby quashed as against the petitioner.

Sd/-

Assistant Registrar (Ad-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ksa

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1. The Inspector of Police
Virudhunagar West Police Station,
Virudhunagar.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2CCs to Mr.P.KARTHICK, Advocate SR-22729 & 22758.

Crl.O.P.[MD]No.11363 of 2020
24.11.2020

SS (CO)
CS (04.12.2020) 3P 5C