



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.13299 of 2020

Mr.G.Thinagaran

... Petitioner/Sole Accused

vs.

1)The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.
(Crime No.248 of 2017)

... 1st Respondent/Complainant

2)Sanjeevi Rajan

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned charge sheet in STC.No.1076 of 2018 pending before the Judicial Magistrate Court, Vallioor, Tirunelveli District in Crime No.248 of 2017 on the file of the respondent No.1, dated 23.11.2017 and quash the same as illegal.

For Petitioner : Mr.T.Lajapathi Roy
For R1 : Mr.V.Neelakandan
Additional Public Prosecutor
For R2 : Mr.G.Karthick

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to the impugned charge sheet in STC.No.1076 of 2018 pending before the learned Judicial Magistrate Court, Vallioor, Tirunelveli District in Crime No.248 of 2017 on the file of the respondent No.1, dated 23.11.2017 and quash the same as illegal.

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 STC.No.1076 of 2018 pending before the learned Judicial Magistrate Court, Vallioor, Tirunelveli District.

3.The joint compromise memo reads as follows:-

'1.That the Defacto Complainant was a school Headmaster on 23.11.2017 the school children were playing in a school campus around 5.00 p.m and at that time one car in bearing No.TN 74AH6666 came there and unidentified



person who is a petitioner fired an air gun and accidentally it hit the victim boy's leg and immediately the defacto complainant admitted the victim boy in nearby hospital and thereafter the case in crime no.48 of 2017 was registered for offences under sections 336, 337 of Indian Penal Code 1860 and this impugned charge sheet was filed before the learned Judicial Magistrate Court, Vallioor.

2.It is submitted that the petitioner is settled the matter amicably and he approached the Defacto Complainant and the victim boy's family.

3.It is further submitted now both the Defacto Complainant and the Petitioner of the instant quash petition have settled the issue amicably in the presence of elderly persons and solved the dispute and all future medical expenses pertaining to the pellet injury will be taken care by the petitioner.

4.It is submitted now both the parties decided to withdraw all the allegations made against each other and have settled the dispute amicably in the presence of elderly persons. Hence the charge sheet may be quashed on the ground that the matter has been settled.

Therefore it is most respectfully prayed that this Hon'ble Court may be pleased to record this Joint Compromise Memo as part and parcel of the quash petition and quash the Impugned Charge Sheet in STC 1076 of 2018 pending before the Learned Judicial Magistrate Court, Vallioor, Tirunelveli District in Crime No.248 of 2017 on the file of the Respondent No.1 dated 23.11.2017 and thus render justice.''

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 charge sheet in STC.No.1076 of 2018 pending before the learned Judicial Magistrate Court, Vallioor, Tirunelveli District, 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 Judicial Magistrate,
Vallioor,
Tirunelveli District.

2)The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.

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

+3 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-22824[F] dated 26/11/2020)

ORDER MADE IN
CrI.O.P.(MD)No.13299 of 2020
DATED : 24.11.2020

SGS (CO)
NR (02/12/2020) 3P : 7C