



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Crl.OP(MD)No.716 of 2021

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Mahesh

... Petitioner/Sole Accused

vs.

1.State Represented by,
The Inspector of Police,
Mimisal Police Station,
Pudukottai District.
(Crime No.19 of 2018)

...1st Respondent/Complainant

2.Rajkumar

...2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records in PRC.No.19 of 2019 pending on the file of the Judicial Magistrate, Aranthangi and quash the same as illegal.

For Petitioner :Mr.T.Lenin Kumar

For R1 :Mr.A.Robinson,
Government Advocate (Criminal Side)

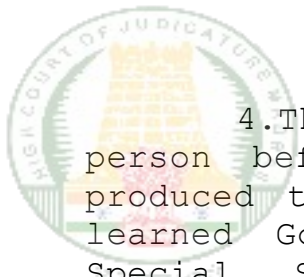
For R2 :Mr.D.Venkatesh

O R D E R

This petition has been filed seeking to quash the PRC.No.19 of 2019 pending on the file of the learned Judicial Magistrate, Aranthangi on the basis of a joint compromise memo filed by the petitioner and the second respondent.

2.The contention of the petitioner and the second respondent is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.19 of 2018 for the offences punishable under Sections 294(b), 324, 506(ii) and 307 of Indian Penal Code, against the petitioner.

3.The further contention of the petitioner is that he wants to compromise the issue between him and the second respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the second respondent and also by their respective counsels.



4.The petitioner and the second respondent appeared in person before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (Criminal side) and Mr.A.Moorthy, Special Sub-Inspector of Police, Mimisal Police Station, Pudukottai District. Both the parties to compromise were enquired by me and they accepted the terms of compromise. Hence the Compromise Memo is recorded.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, this Court is of the opinion that no useful purpose would be served by keeping the matter pending. Hence, all further proceedings in PRC.No.19 of 2019 pending on the file of the learned Judicial Magistrate, Aranthangi is quashed.

6. In the result, the Criminal Original Petition stands allowed and the entire proceedings in PRC.No.19 of 2019 pending on the file of the learned Judicial Magistrate, Aranthangi is hereby quashed in respect of the petitioner/sole accused and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo

MBI

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,
Aranthangi.

2.The Inspector of Police,
Mimisal Police Station,
Pudukottai District.



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

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KM (10.02.2021) 3P 4C