



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Crl.OP(MD)No.524 of 2021

1.Senthil Kumar Alias Senthil
2.Marimuthu Alias Padayappa
3.Mugesh Kanna
4.Pauldurairaj
5.Velmurugan
6.Muthudinesh

... Petitioners/Accused 1 to 6

vs.

1.State Represented by,
The Inspector of Police,
Athoor Police Station,
Thoothukudi District.

... 1st Respondent/Complainant

2.Prince

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records in Crime No.127 of 2020, dated 24.05.2020 pending on the file of the respondent police and quash the same as illegal.

For Petitioners

:Mr.M.Pandian

For R1

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

O R D E R

This petition has been filed seeking to quash the First Information Report in Crime No.127 of 2020 of Athoor Police Station, Thoothukudi District on the basis of a joint compromise memo filed by the petitioners and the second respondent.

2.The contention of the petitioners 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.127 of 2020 for the offences punishable under Sections 147, 294(b), 323 and 506(i) of Indian Penal Code, against the petitioners.



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

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4.The petitioners 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.S.Sundararaj, Sub-Inspector of Police, Athoor Police Station, Thoothukudi 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, dated 04.01.2021, this Court is of the opinion that no useful purpose would be served by keeping the matter pending. Hence, all further proceedings in Crime No.127 of 2020 pending on the file of the Inspector of Police, Athoor Police Station, Thoothukudi District, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.127 of 2020, pending on the file of the Inspector of Police, Athoor Police Station, Thoothukudi District, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Encl: Xerox Copy of the Compromise Memo.

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,
Athoor Police Station,
Thoothukudi District.

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



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

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NA (CO)

NR (11/02/2021) 3P : 3C