



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Crl.OP(MD)No.1253 of 2021

Athilingam

... Petitioner

vs.

1.State Rep. by

The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
In Crime No.833 of 2020

2.Thangapushpam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.833 of 2020, dated 03.11.2020 on the file of the first respondent and quash the same as against the petitioner.

For Petitioner	:	Mr.C.Susikumar
For R1	:	Mr.R.Erottuchamy
		Government Advocate (Criminal side)

O R D E R

This petition has been filed seeking to quash the First Information Report in Crime No.833 of 2020 of Kanyakumari Police Station, Kanyakumari on the basis of a joint compromise memo filed by the petitioner and the second respondent.

2.The contention of the petitioner is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.833 of 2020 for the offences punishable under Sections 448, 294(b) and 506(1) of the Indian Penal Code and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act 2002 and Section 4 of the Tamil Nadu Prohibition of Charging Exorbitant Interest Act 2003 against the petitioner.

3.The further contention of the petitioner is that he want to compromise the issue between him and the second respondent amicably. A joint memo of compromise is 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.T.Natarajan, Special Sub-Inspector of Police, Kanyakumari Police Station, Kanyakumari District. Both the parties to compromise were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

WEB COPY

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, dated 05.01.2021, this Court is of the opinion that no useful purpose would be served by keeping the matter pending.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.833 of 2020 of Kanyakumari Police Station, Kanyakumari District, is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

Encl:Xerox copy of joint compromise memo
SJI

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,
Kanyakumari Police Station,
Kanyakumari District.

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

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