



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOAN

Cr1.OP(MD)No.1028 of 2021

WEB COPY

1.Muhamed Naif

2.Safir Ali

... Petitioners/Accused Nos.1 & 2

Vs.

1.The Sub Inspector of Police,
Thiruvidaimaruthur Police Station,
Thanjavur District.

Crime No.1526 of 2020. ... Respondent/Complainant

2.Santhosh

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to the FIR in Crime No.1526 of 2020 on the file of the Inspector of Police, Thiruvidaimarudhur Police Station and quash the same as illegal, incompetent and ultra vires by allowing the present criminal original petition.

For Petitioners: Mr.Ponaravind

For R1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For R2 : M/s.Sundarapandian

O R D E R

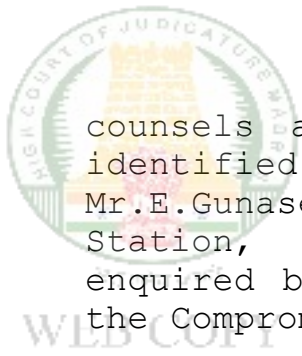
This Criminal Original Petitions has been filed to FIR in Crime No.1526 of 2020 on the file of the Inspector of Police, Thiruvidaimarudhur Police Station.

2.It is a case in counter case. The offences are simple in nature. Both the parties belong to same village and also close friends.

3.The contention of the petitioners is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.1526 of 2020 for the offences punishable under Sections 294 (b), 352 and 506 (2) of IPC, against the petitioners.

4.The further contention of the petitioners is that they compromised the issue with 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.

5.The petitioners and the second respondent appeared before this Court along with their



counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor and Mr.E.Gunaseelan, Head Constable, Thiruvidadaimaruthur Police Station, Thanjavur District. Both the parties to compromise were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

6.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 18.01.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.1526 of 2020 pending on the file of the Inspector of Police, Thiruvidadaimarudhur Police Station, is quashed and the compromise memo is recorded.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.1526 of 2020, pending on the file of the Inspector of Police, Thiruvidadaimarudhur Police Station, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

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 Sub Inspector of Police,
Thiruvidadaimaruthur Police Station,
Thanjavur District.

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

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