



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Cr1.O.P.(MD)No.1220 of 2021

WEB COPY

Raja @ Rajapandian

... Petitioner

Vs.

1.State rep. by

The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi District.
Crime No.137 of 2018.

2.Pavunraj

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the First Information Report in Crime No.137 of 2018 pending on the file of the first respondent police and quash the same as illegal.

For Petitioner : Mr.S.M.Mohan Gandhi

For 1st Respondent : Mr.A.Robinson

Government Advocate (Criminal Side)

For 2nd Respondent : Mr.D.Anbarasu

ORDER

This petition has been filed seeking to quash the First Information Report in Crime No.137 of 2018 of Ottapidaram Police Station, Thoothukudi District, 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.137 of 2018 for the offences punishable under Sections 294(b), 506(ii) of the Indian Penal Code and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992.

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 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 along with their respective counsels and also produced their Aadhar cards before this Court. They were also identified by the learned Government Advocate (Criminal side) and Mr.C.Chandrasekar,



Special Sub-Inspector of Police, Ottapidaram 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 petitioner and also in view of the joint compromise memo, dated 18.01.2021, 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 First Information Report in Crime No.137 of 2018, pending on the file of the Inspector of Police, Ottapidaram Police Station, Thoothukudi District, 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 (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RM

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.

Xerox copy of Joint Compromise Memo dated 18/01/2021 enclosed.

To

1. The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

**Order made in
Crl.O.P. (MD)No.1220 of 2021
18.02.2021**

SE (CO)

SRS (08/03/2021) 2P : 3C

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