



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

CrI.OP(MD)No.867 of 2021

Arockiya Sugatto

... Petitioner

vs.

1.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
In Crime No.278 of 2019

2.Rajesh

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.125 of 2020 on the file of the Judicial Magistrate No.I, Nagercoil and quash the same.

For Petitioner	: Mr.A.Joseph Jerry
For R1	: Mr.S.Chandrasekar
	Additional Public Prosecutor
For R2	: Mr.K.Prabhu

O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.125 of 2020 on the file of the Judicial Magistrate No.I, Nagercoil, 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.278 of 2019 and thereafter, filed a final report before the Judicial Magistrate No.I, Nagercoil for the alleged offences punishable under Sections 294(b), 341 and 506(2) of the 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 Additional Public Prosecutor and Mr.K.Chithravelmurugan, 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.

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 entire proceedings in C.C.No.125 of 2020 on the file of the Judicial Magistrate No.I, Nagercoil, is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

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.

ENCL : Xerox copy of Joint Compromise Memo.

To

1.The Judicial Magistrate No.I, Nagercoil.

2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

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

+1 CC to M/s.A.JOSEPH JERRY, Advocate (SR-3193[F] dated
04/02/2021)

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KVN (CO)

<https://hservices.ecourts.gov.in/hcservices/>
RK(05.03.2021) 2P 5C