



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.1255 of 2021

1.Karuppasamy
2.Komu
3.Krishnan @ Balakrishnan ... Petitioners

Vs.

1.State rep. by
The Inspector of Police,
Pappakudi Police Station,
Tirunelveli District.
Crime No.10 of 2017.
2.Chellappa ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records Charge Sheet in P.R.C.No.14 of 2018 pending on the file of the Judicial Magistrate Court, Alangulam, Tirunelveli District, and quash the same.

For Petitioner : Mr.S.Sathya Chidambaram
For 1st Respondent : Mr.Erottuchamy
Government Advocate (Criminal Side)
For 2nd Respondent : Mr.P.Vijayabharathi

ORDER

This petition has been filed seeking to quash the proceedings in P.R.C.No.14 of 2018 on the file of the Judicial Magistrate Court, Alangulam, Tirunelveli District, on the basis of a joint compromise memo filed by the petitioners and the second respondent.

2.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.10 of 2017 for the offences punishable under Sections 294(b), 447, 506(ii) of the Indian Penal Code and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992.



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 is filed, which has been duly signed by the petitioners and the second respondent and also by their respective counsels.

4.The petitioners 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.M.Mariappan, Special Sub-Inspector of Police, Pappakudi Police Station, Tirunelveli 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 06.12.2020, 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 P.R.C.No.14 of 2018 on the file of the Judicial Magistrate Court, Alangulam, Tirunelveli District, is hereby quashed in respect of the petitioners/accused 1 to 3 and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Rm

ENCL.: XEROX COPY OF JOINT 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 Judicial Magistrate,
Alangulam, Tirunelveli District.

2. The Inspector of Police,
Pappakudi Police Station,
Tirunelveli District.

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

Copy to
The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.1255 of 2021
23.02.2021

nsm(CO)
TR(09.03.2021) 3P 5C