



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Crl.OP(MD)No.1602 of 2021

1.Ramiah
2.Durai @ Chinnadurai
3.Yesuraja
4.Jeyaseelan
5.Punithan @Punitha Arulraj

... Petitioners/
Accused 1 to 5

Vs.

1.State Represented by,
The Inspector of Police,
Aralvoimozhi Police Station,
Kanyakumari District.
(In Crime No.159 of 2011)

2.Yesurajan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in C.C.No.80 of 2012 on the file of the learned Judicial Magistrate, Boothapandy, Kanyakumari District and quash the same.

For Petitioners : Mr.M.Sankar

For Respondent No.1 : Mr.S.Chandrasekar
Additional Public Prosecutor

For Respondent No.2 : Mr.M.Karthikeyan

O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.80 of 2012 on the file of the learned Judicial Magistrate, Boothapandy, Kanyakumari 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.159 of 2011 for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324 and 506(ii) of the Indian Penal Code.



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 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.Vinish Babu, Sub-Inspector of Police, Aralvaimozhi 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 petitioners and also in view of the joint compromise memo, dated 21.01.2021, 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.80 of 2012 on the file of the learned Judicial Magistrate, Boothapandy, Kanyakumari District is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (A.S)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RMK

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 of Joint compromise Memo dated 21.01.2021 enclosed.

To

1.The Judicial Magistrate,
Boothapandy, Kanyakumari District.

<https://hcservices.ecourts.gov.in/hcservices/>



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

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

Order made in
CrI.OP(MD)No.1602 of 2021
19.02.2021

SVN(CO)
SRS (10/03/2021) 3P : 4C