



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.1750 of 2021

WEB COPY

1.Vijin

2. Sujin

... Petitioners/Accused Nos.1 and 2

Vs.

1.The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
(Crime No.76 of 2019)

... 1st Respondent/Complainant

2.Subash

3.Prabhu

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings in Crime No.76 of 2019, on the file of the first respondent herein and quash the same against the petitioners/accused.

For Petitioner : Mr.K.Vamanan
For R1 : Mr.R.M.Anbunidhi
Additional Public Prosecutor
For R2 & R3 : Mr.S.Bharathi

O R D E R

This petition has been filed to quash the F.I.R. in Crime No.76 of 2019, on the file of the first respondent, against the petitioners/accused.

2. The case in Crime No.76 of 2019 has been registered against the petitioners for the offence punishable under Sections 341, 294 (b), 324, 323 and 506(ii) of I.P.C., on the basis of the complaint given by the second respondent.

3.The crux of the complaint is that the petitioners and the second respondent are the neighbours and there was a land dispute between the families. On 30.04.2019, while the de-facto complainant's brother and his friends were going to attend the temple festival, the petitioners have stopped them attacked them and caused simple injuries and when the same was questioned by the de-facto complainant, the petitioners have beaten the de-facto complainant with hands. Hence, the case has been registered for the aforesaid offences.



4. When the matter is taken for hearing, the petitioners/A1 and A2 and the respondents 2 and 3 present before the Office of the Additional Public Prosecutor and appeared through video conferencing. Their respective counsels are also present before this Court through video conferencing. The identity of the parties are verified by the respective counsels and the police. When this Court enquired with the parties, it is seen that they have compromised the dispute. The respondents 2 and 3 are willing to quash the case in Crime No.76 of 2019. In view of the compromise entered into between the parties, no purpose would be served in keeping the proceedings pending.

5. Recording the joint compromise memo, dated 01.02.2021, the First Information Report in Crime No.76 of 2019, on the file of the first respondent-police is hereby quashed. The joint compromise memo shall form part and parcel of this order.

6. In fine, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ns

Enclose here with copy of the 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 Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.

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

+1 CC to M/s.K.VAMANAN, Advocate (SR-23754[F] dated 23/07/2021)

Crl.O.P. (MD)No.1750 of 2021

22.07.2021

RD(9.08.2021) 2P 4C

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