



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.2706 of 2021

WEB COPY

1.S.Christopher John

2.S.Lenin Robert

... Petitioners/Accused Nos.1& 2

vs.

1.The State Rep by

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

(Crime No. 78 of 2019)

... 1st Respondent/ Complainant

2.Abilash

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to the impugned Final Report in C.C.No.377 of 2019 on the file of the learned Judicial Magistrate No.1, Kuzhithurai and quash the same.

For Petitioners : Mr.R.Mohana Sundaram

For R1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For R2 : Mr.S.Regu

O R D E R

This petition has been filed to quash the impugned Final Report in C.C.No.377 of 2019 on the file of the learned Judicial Magistrate No.1, Kuzhithurai.

2.The contention of the petitioners is that based on the complaint lodged by the second respondent, the first respondent registered a case in Crime No. 78 of 2019 for the offences punishable under Sections 147, 148, 294 (b), 323, 324 and 506 (2) of Indian Penal Code, against the petitioners.

3.The further contention of the petitioners is that they compromised the issue with 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 through video conference with their respective counsels and also produced their Aadhar cards before this Court. They were also identified by the learned Additional Public Prosecutor and Mr.K.Shaji, Special Sub-Inspector of Police, Arunmanai 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 15.02.2021, this Court is of the opinion that no useful purpose will 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.377 of 2019 on the file of the learned Judicial Magistrate No.1, Kuzhithurai, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

Encl. : Xerox 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 Judicial Magistrate No.1,
Kuzhithurai.

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

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

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MGJ(09.08.2021) 2P 4C