



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVA

CrI.OP(MD)No.2665 of 2021

WEB COPY

1.Murugan @ Mushaboy
2.Velsamy
3.PAramasivam
4.Arumuganainar
accused
known.

... 1st Petitioner arrayed as an
and petitioners 2 to 4 rank not

vs.

1.The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(Crime No.380 of 2020)

... 1st Respondent/Complainant

2.Malaiyappan

... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.380 of 2020 on the file of the 1st Respondent Police and to quash the same against the petitioners concern.

For Petitioners: Mr.C.Saravanakumar
For R1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor
For R2 : Mr.B.Balamurugan

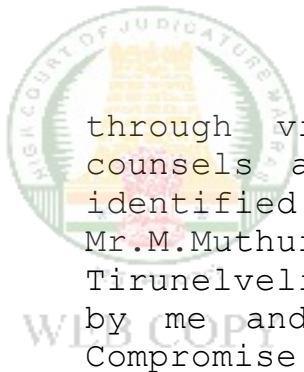
O R D E R

This Criminal Original Petitions has been filed to quash Crime No.380 of 2020 on the file of the 1st Respondent Police.

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. 380 of 2020 for the offences punishable under Sections 294 (b), 323 and 506 (ii) of IPC, 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 was filed, which has been duly signed by the petitioners and the second respondent and also by their respective counsels.

<https://hcservices.ecourts.gov.in/hcservices> The petitioners and the second respondent appeared



through video conference 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.M.Muthuraj, Sub-Inspector of Police, Suthamalli 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 16.02.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending.

6.The learned counsel for the petitioners would submit that the fourth petitioner herein, was arrested and remanded to judicial custody on 28.07.2021. Hence, he has not pressed this petition, insofar as fourth petitioner is concerned.

7. Hence, all further proceedings in Crime No.380 of 2020 pending on the file of the Inspector of Police, Suthamalli Police Station, Tirunelveli District, is quashed insofar as the petitioners 1 to 3 is concerned and the compromise memo is recorded.

8.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.380 of 2020 pending on the file of the Inspector of Police, Suthamalli Police Station, Tirunelveli District, is hereby quashed in respect of the petitioners 1 to 3 and insofar as the fourth respondent is concerned, this petition is dismissed and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

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.

Enclose: Xerox copy of compromise memo

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



To

1.The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.

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

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CN(11.08.2021) 3P 3C