



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVA

CrI.OP(MD)No.5612 of 2021

Thiyagaram

... Petitioner/Accused No.1

vs.

1.The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
Crime No.691 of 2016.

... Respondent/Complainant

2.Revathi Sambasivam

... 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.691 of 2016 on the file of the 2nd Respondent Police and quash the same.

For Petitioner: Mr.R.M.Arun Swaminathan

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

For R2 : Mr.G.Balasubramanian

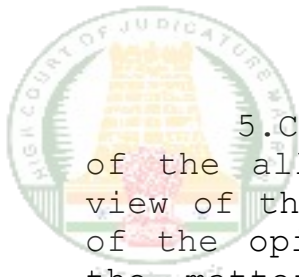
O R D E R

This Criminal Original Petitions has been filed to quash the Crime No.691 of 2016 pending on the file of the Inspector of Police, Karaikudi North Police Station, Sivagangai District.

2.The contention of the petitioner is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.691 of 2016 for the offences punishable under Sections 420, 465, 468 and 471 of IPC, against the petitioner.

3.The further contention of the petitioner is that he compromised the issue with the second respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the second respondent and also by their respective counsels.

4.The petitioner 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.S.Jober Ali, Special Sub-Inspector of Police, Karaikudi North Police Station, Sivagangai District. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is



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 18.02.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.691 of 2016 pending on the file of the Inspector of Police, Karaikudi North Police Station, Sivagangai District, is quashed and the compromise memo is recorded.

6. From the enquiry, it is revealed that this is purely a property dispute between the brother and sister. The petitioner is the own brother of the defacto complainant. All other accused persons 2 to 11 have been impleaded as accused in the First Information Report. They are in no way connected with the property dispute between the first accused and the defacto complainant. This fact was also submitted by the defacto complainant at the time of enquiry. In the compromise memo, except the petitioner and the defacto complainant, the other third parties were not added as parties. Since the matter was compromised between the defacto complainant and the main accused, nothing survives in the First Information Report for further investigation insofar as the other accused persons are also concerned.

7. The request, on this aspect, made by the learned counsel for the petitioner, the entire proceedings in Crime No.691 of 2016, pending on the file of the Inspector of Police, Karaikudi North Police Station, Sivagangai District, is hereby quashed and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (CS-II)

// 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.

To

1.The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.



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

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