



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2021

CORAM:

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THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No. 3634 of 2021

1.Mohamed Sirajdeen
2. Abdul Kadar Jailani
3.Mohamed Yusuf
4.Vahab
5.Mathar Hussain

... Petitioners/Accused Nos.1 to 5

Vs.

1.State represented through
The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
(Crime No.696 of 2014)

... 1st Respondent/Complainant

2.Arumuga Nayinar

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records of impugned Charge Sheet in S.C.No.118 of 2018 on the file of the learned Judicial I Additional District Judge, Tirunelveli and quash the same as illegal.

For Petitioners	: Mr.K.Manimaran
For R1	: Mr.R.M.Anbunithi, Additional Public Prosecutor.
For R2	: Mr.A.Abdul Kabur

ORDER

This Criminal Original Petitions has been filed to quash the Charge Sheet in S.C.No.118 of 2018 on the file of the learned Judicial I Additional District Judge, Tirunelveli.

2.The contention of the petitioners and the second respondent is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.696 of 2014 for the offences punishable under Sections 147, 294 (b), 323, 506 (i) of IPC and Section 3 of TNPPDL Act, 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.

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4.The petitioners and the second respondent appeared through video conference along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor and Mr.Sundar, Special Sub-Inspector of Police, Pettai Police Station, Tirunelveli City. 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 22.02.2021, 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 S.C.No.118 of 2018 on the file of the learned Judicial I Additional District Judge, Tirunelveli, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (CS-I)

// 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.

Encl.: Xerox copy of Joint Compromise Memo

To

1. The I Additional District Judge,
Tirunelveli.



2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

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

CrI.O.P. (MD)No. 3634 of 2021
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CM(CO)
LR (03.08.2021) 3P 4C