



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Crl.O.P. (MD)No.3133 of 2021

Kalwin

... Petitioner/Sole Accused

Vs.

1.State Rep by the
Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
(Crime No.741 of 2018) ... 1st Respondent/Complainant

2.Ashok Kumar ... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for records and quash the Charge Sheet in C.C.No.48 of 2019 on the file of the Judicial Magistrate Court No.1, Thoothukudi, in connection with Crime No.741 of 2018 on the file of the 1st Respondent Police.

For Petitioner	: Mr.S.Sathyachidambaram
For Respondents 1	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl.Side)
For Respondent 2	: Mr.A.Saravanan

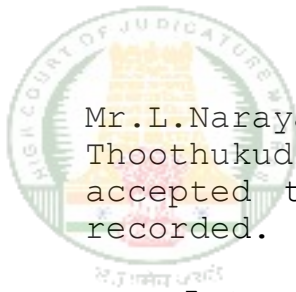
ORDER

This petition has been filed to quash the Charge Sheet in C.C.No.48 of 2019 on the file of the Judicial Magistrate Court No.1, Thoothukudi.

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.741 of 2018 for the offences punishable under Sections 294(b) and 506 (ii) of Indian Penal Code, 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 vide conference from the office of the learned Government Advocate (Criminal side) along with their respective counsels and also produced their Aadhar cards before this Court. They were also identified by the learned Government Advocate (Criminal side) and



Mr.L.Narayanan, Head Constable, Thoothukudi South Police Station, Thoothukudi District. Both the parties 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 petitioner and also in view of the joint compromise memo, dated 23.02.2021, 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 Charge Sheet in C.C.No.48 of 2019 on the file of the learned Judicial Magistrate Court No.1, Thoothukudi, is hereby quashed and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

(Enclosed Joint Compromise Memo)

- 1.The Judicial Magistrate Court No.1,
Thoothukudi.
- 2.Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RS (13.08.2021) 2P 4C