



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.4244 of 2021

WEB COPY

1. Vazhivittan @ Muthu Vazhivittan
2. Arulmurugan
3. Suriya Prakash ... Petitioners /Accused Nos.1 to 3

Vs.

1. State rep. By,
The Inspector of Police,
Theppakulam police station,
Madurai.
(Crime No.798 of 2018) ... 1st Respondent / Complainant

2. Saranya ... 2nd Respondent /
Defacto Complainant
3. Senthil Kumar ... 3rd Respondent / Victim

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the charge sheet in S.C.No.78 of 2020 on the file of the I Additional Assistant Sessions Judge, Madurai and quash the same based on the compromise memo entered into between the petitioners and respondents 2 and 3.

For Petitioners : Mr.A.Balaji
For R-1 : Mr.A.Albert James,
Government Advocate(Crl. Side)
For R-2 & R-3 : Mr.S.Saravanakumar

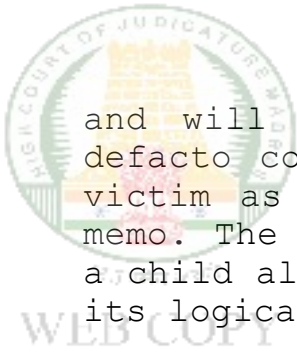
O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the proceedings in S.C.No.78 of 2020 on the file of the I Additional Assistant Sessions Judge, Madurai.

3. The defacto complainant Saranya as well as the victim Senthil Kumar is present in person before me. They have been duly identified by Thiru.V.Krishnan, Special Sub Inspector of Police attached to the first respondent police station.

4. Arulmurugan, second petitioner gives an undertaking before the court henceforth, he will conduct himself appropriately



and will not indulge in any kind of criminal activities. The defacto complainant also does not want to pursue the matter. The victim as well as the petitioners have filed a joint compromise memo. The second petitioner Arulmurugan is married and he has got a child also. If the impugned prosecution is allowed to proceed to its logical conclusion, the petitioners will suffer ruin.

5. Since the defacto complainant herself does not want to pursue the matter, no purpose will be served in keeping the impugned prosecution alive. Therefore, the impugned proceedings are quashed. This criminal original petition is allowed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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:

(ENCL : JOINT COMPROMISE MEMO)

1. The I Additional Assistant Sessions Judge,
Madurai.
2. The Inspector of Police,
Theppakulam police station,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Cr1.O.P. (MD)No.4244 of 2021
06.12.2021

NSN (CO)

SB(28.12.2021) 2P 4C

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