



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.08.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVA**

Crl.O.P.(MD) No.3629 of 2021

WEB COPY

K.Sivakumar

... Petitioner/Sole Accused

Vs.

1.The State represented by
the Sub Inspector of Police,
Keelarajakularaman Police Station,
Virudhunagar District.

...1st Respondents/Complainant

2.V.Prakash

...2nd Respondents/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in STC.No.1152 of 2020 on the file of the learned Judicial Magistrate, Rajapalayam and quash the same.

For Petitioner : Mr.N.Kamesh

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl.Side)

For R2 : Mr.P.Pandiyarajan

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in STC.No.1152 of 2020 on the file of the learned Judicial Magistrate, Rajapalayam.

2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.162 of 2019 for the offences punishable under Sections 294(b), 323 and 506(2) of IPC against the petitioner. It appears that the dispute arose between the Headmaster and the Assistant.

3.The further contention of the petitioner is that he compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the 2nd respondent and also by their respective counsels.

4.The petitioner and the 2nd respondent appeared through video conference from the Office of the Additional Public Prosecutor (Crl.Side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor (Crl.Side) and the Investigating Officer. 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 02.03.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in STC.No.1152 of 2020 pending on the file of the learned Judicial Magistrate, Rajapalayam is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in STC.No.1152 of 2020 pending on the file of the learned Judicial Magistrate, Rajapalayam is hereby quashed and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Sub Inspector of Police,
Keelarajakularaman Police Station,
Virudhunagar District.

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

+1 CC to M/s.N.KAMESH, Advocate (SR-25114[F] dated 03/08/2021)

Crl.O.P. (MD)No.3629 of 2021
02.08.2021

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