



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2021

CORAM:

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THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.4268 of 2021

1.Maruthu
2.Dinesh @ Kanchivanam
3.Parkar @ Manikandan
4.Ganesan
5.Deepan @ Deepanraj
6.Prem Kumar ... Petitioners/Accused Nos.1to 5 & 7

vs.

1.The State Rep by
The Deputy Superintendent of Police,
Melur Police Station (Circle),
Madurai District. ... 1st Respondent/Investigating
Officer

2.The State Rep by
The Sub-Inspector of Police,
Melur Police Station,
Madurai District.
In Crime No.2110 of 2020. ... 2nd Respondent/Complainant

3.Bhavani ... 3rd Respondent/Defacto
Complainant

4.Surya @ Madhayanai ... 4th Respondent/Injured

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records of the case in Crime No.2110 of 2020 on the file of the 2nd respondent police and quash the same as against the petitioners alone.

For Petitioners : Mr.M.Jegadeesh Pandian
For R1& R2 : Mr.R.M.Anbunithi,
Additional Public Prosecutor
For R3 & R4 : M/s.B.Viswanathan



O R D E R

This Criminal Original Petitions has been filed to quash the case in Crime No.2110 of 2020 on the file of the 2nd respondent police.

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2.The contention of the petitioners is that based on the complaint lodged by the third respondent, the second respondent registered First Information Report in Crime No.2110 of 2020 for the offences punishable under Sections 147, 294 (b), 323 of IPC r/w Section 3 (2) (va) of SC/ST (POA) Act, 2015 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against the petitioners.

3.The further contention of the petitioners is that they compromised the issue with the respondents 3 & 4 amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the respondents 3 & 4 and also by their respective counsels.

4.The petitioners and the respondents 3 & 4 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.A.Jebakumar, Special Sub-Inspector of Police, Melur Police Station, Madurai District. 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 10.03.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.2110 of 2020 pending on the file of The Sub-Inspector of Police, Melur Police Station, Madurai District, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.2110 of 2020 pending on the file of The Sub-Inspector of Police, Melur Police Station, Madurai District, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

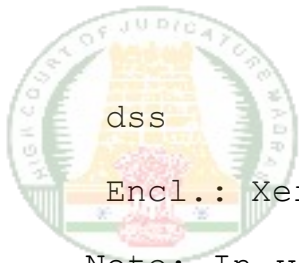
Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



dss

Encl.: Xerox copies of Joint Compromise Memo

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 Deputy Superintendent of Police,
Melur Police Station (Circle),
Madurai District.
- 2.The Sub-Inspector of Police,
Melur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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CM(CO)

LR (09.08.2021) 3P 4C