



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD) No.4934 of 2020

WEB COPY

Selvakumar

... Petitioner/Sole Accused

Vs.

1.State represented by
The Inspector of Police,
Karungal Police Station,
Kanniyakumari District.
In Crime No.153 of 2019

... 1st Respondent/Complainant

2.Makesh

... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Crime No.153 of 2019 on the file of the 1st respondent police and quash the same.

For Petitioner	: Mr.K.P.Narayanakumar
For R1	: Mr.R.M.Anbunithi Additional Public Prosecutor (Crl.Side)
For R2	: Mr.N.Karthikeyan

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.153 of 2019 on the file of the 1st respondent police.

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.153 of 2019 for the offences punishable under Sections 294(b), 341, 323, 324 & 506(ii) of IPC, against the petitioner. It is a case case in counter.

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
<https://hcservices.ecourts.gov.in/hcservices/>



(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 Investigation 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 16.03.2020, 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.153 of 2019 pending on the file of the 1st respondent police 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.153 of 2019, pending on the file of the 1st respondent police is hereby quashed and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (WRITS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Inspector of Police,
Karungal Police Station,
Kanniyakumari District.

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

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-32749[F] dated 27/10/2021)

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