



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.08.2021**

CORAM:

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

Crl.O.P.(MD) No.4478 of 2021

WEB COPY

1.Selvakumar

2.Ashok @ Ashokkumar

... Petitioners/A-Nos. 1 & 2

Vs.

1.The State represented through

The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.

In Crime No.189 of 2019

...1st Respondent/ Complainant

2.Joseph Mano Anand

.... 2nd Respondent/Defacto
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 C.C.No.11 of 2020 on the file of the learned Judicial Magistrate, Tiruchendur, quash the same as illegal as against the petitioners.

For Petitioners : Mr.D.S.Haroon Rasheed

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor
(Crl.Side)

For R2

: Mr.A.Balaji

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.11 of 2020 on the file of the learned Judicial Magistrate, Tiruchendur.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.189 of 2019 for the offences punishable under Sections 506(i) and 354D(1)(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against the petitioners. It appears that the defacto complainant and the accused persons are residing in the same village and at request of the mother of the 1st petitioner and considering the future of the petitioners, the defacto complainant wanted to compromise the matter with the petitioners.

3.The further contention of the petitioners is that they compromised the issue with the 2nd respondent amicably. A joint memo



of compromise was filed, which has been duly signed by the petitioners and the 2nd respondent and also by their respective counsels.

4.The petitioners 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 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 petitioners and also in view of the joint compromise memo, dated 19.03.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.11 of 2020 pending on the file of the learned Judicial Magistrate, Tiruchendur is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.11 of 2020, pending on the file of the learned Judicial Magistrate, Tiruchendur 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)

mm

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 Judicial Magistrate,
Thiruchendur



2.The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.

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

Crl.O.P. (MD)No.4478 of 2021
02.08.2021

SSS (CO)

LR (09.08.2021) 3P 4C