



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.5530 of 2021

WEB COPY

1.Sheik Dawood

2.Samsudeen @ Samusdeen

... Petitioners/Accused Nos.1 & 2

vs.

1.State Represented by
The Inspector of Police,
Sellur Police Station,
Madurai City.
(Crime No.1352 of 2020)

... Respondent/Complainant

2.Ganesh Anand

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.1352 of 2020 on the file of the first respondent and quash the same as illegal.

For Petitioners : Mr.S.M.A.Jinnah

For R1 : Mr.K.Sanjai Gandhi
Government Advocate
(Criminal Side)

For R2 : Mr.A.Raja Mohamed

ORDER

This petition is filed to quash the case in Crime No.1352 of 2020 on the file of the Inspector of Police, Sellur Police Station, Madurai City.

2.It is a case in counter case. Both the parties are working in the same Company.

3.The contention of the petitioners and the second respondent is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.1352 of 2020 for the offences punishable under Sections 341, 294 (b) and 323 of IPC, against the petitioners.

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



5.The petitioners and the second respondent appeared through video conference from the office of the learned Government Advocate (Criminal side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (Criminal side) and Mr.K.Murugan, Sub-Inspector of Police, Sellur Police Station, Madurai City. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

6.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 23.03.2021, 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.1352 of 2020 pending on the file of the Inspector of Police, Sellur Police Station, Madurai City, is quashed and the compromise memo is recorded.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.1352 of 2020 pending on the file of the Inspector of Police, Sellur Police Station, Madurai City, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

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

Enclose Joint Compromise Memo.

1.The Inspector of Police,
Sellur Police Station, Madurai City.

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

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