



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2021

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THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5060 of 2021

Nirmalasingh@Mukilan

... Petitioner/Sole Accused

Vs.

1.The Sub-Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District,
(Ref.Cr.No.416 of 2014).

...1st Respondent/Complainant

2.Saravanavel

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the case in C.C.No.362/2017, on the file of the Learned Judicial Magistrate No.III, Thoothukudi and quash the same and all further proceedings.

For Petitioner : Mr.D.Shanmugaraja Sethupathi
For R1 : Mr.K.Sanjai Gandhi
Government Advocate

ORDER

(This petition is heard through video conference)

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.362 of 2017 on the file of the learned Judicial Magistrate No.III, Thoothukudi.

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.416 of 2014 for the offences punishable under Sections 294(b), 324 & 506(ii) of IPC, against the petitioners. It appears that since the petitioner met the defacto complainant and regreted for his action against him, at the instance of the elders and well-wishers, compromise has been reached between them.



3.The further contention of the petitioner 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 petitioner and the 2nd respondent and also by their respective counsels.

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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 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, 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.362 of 2017 pending on the file of the learned Judicial Magistrate No.III, Thoothukudi 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.362 of 2017, pending on the file of the learned Judicial Magistrate No.III, Thoothukudi, is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (CRL)

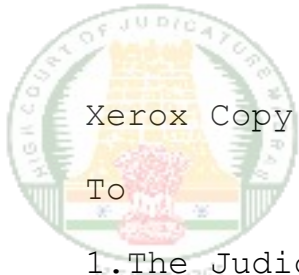
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/ /2021

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.



Xerox Copy of Joint Compromise Memo

To

- 1.The Judicial Magistrate No.III, Thoothukudi.
- 2.The Sub-Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District,
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD)No.5060 of 2021
07.10.2021

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