



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.14965 of 2021 and

Crl.M.P(MD) .No.7997 of 2021

WEB COPY

1.Vinishraj Anto

2.Vins Anto

3.Gilbert

4.Suresh

5.Edwinson

6.John Bendict

... Petitioners / A1 to A6

Vs.

1.The State represented
by its Inspector of Police,
Thuckalay Police Station,
Thuckalay,
Kanyakumari District.

... Respondent/ Complainant

2.Sudharasan

... 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 S.C.No.205 of 2017 on the file of the Subordinate Judge, Padmanabhapuram, Kanyakumari District and quash the same as against the petitioners.

For Petitioners : Mr. C.T. Perumal

For R1 : Mr.K.Sanjay Gandhi
Additional Public Prosecutor (Crl.Side)

For R2 : Mr.S. Ramasamy

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in S.C.No.205 of 2017 on the file of the Subordinate Judge, Padmanabhapuram, Kanyakumari District.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered

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the First Information Report in Crime No.69 of 2009 for the offences punishable under Sections 147, 148, 341, 294(b), 307, 324 and 506 (ii) IPC against the petitioners. It appears that the defacto complainant and the accused persons are residing in the same village and the second respondent is maintaining the cordial relationship each of them 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 (CrI.Side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor (CrI.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 09.04.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in S.C.No.205 of 2017 pending on the file of the Subordinate Judge, Padmanabhpuam, Kanyakumari District is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.C.No.205 of 2017 pending on the file of the Subordinate Judge, Padmanabhpuam, Kanyakumari District is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

Enclosed herewith Copy of the Joint Compromise Memo

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



To

1. Inspector of Police,
Thuckalay Police Station,
Thuckalay,
Kanyakumari District.

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

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-33616[F] dated 02/11/2021)

**Crl.O.P. (MD) No.14965 of 2021 and
Crl.M.P (MD) .No.7997 of 2021
2.11.2021**

_RD(08.12.2021) 3P 4C