



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.05.2021

CORAM :

THE HONOURABLE **Mrs. JUSTICE S.ANANTHI**

CrI.O.P. (MD)No.6331 of 2021

1.Ginin Vincily
2.Vibin

... Petitioners/Accused No.1 & 4

Vs.

1. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No.721 of 2013)

... 1st Respondent/Complainant

2.Maglin Raj

... 2nd Respondent/
Defacto Complainant

3.Ramalingam

... 3rd Respondent/ Victim

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in C.C.No.41 of 2018 on the file of the Principal District Munsif and Judicial Magistrate Court, Eraniel and quash the same.

For Petitioners : Mr.R.J.Karthick
For R1 : Mr.A.Robinson,
Government Advocate (crl.side)
For R-2 and R-3 : Mr.S.Suresh Manickam

ORDER

This petition has been filed seeking to quash the proceedings in C.C.No.41 of 2018 on the file of the Principal District Munsif and Judicial Magistrate Court, Eraniel.

2.The contention of the petitioners is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.721 of 2013 for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324 and 506(ii) of I.P.C., against the petitioners. After filing the charge sheet, the case was taken on file in C.C.No.41 of 2018, by the file of the Principal District Munsif and Judicial Magistrate Court, Eraniel.



3.The further contention of the petitioners is that they want to compromise the issue between them and the second respondent amicably. A joint memo of compromise is filed, which has been duly signed by the petitioners and the second respondent and also by their respective counsels.

WEB COPY

4.The petitioners and the second respondent appeared in person before this Court through video conference along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor and Mr.R.David Raj, Special Sub-Inspector of Police, Karungal Police Station, Kanyakumari District. Both the parties to compromise 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 19.04.2021, this Court is of the opinion that no useful purpose would be served by keeping the matter pending.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.41 of 2018 on the file of the Principal District Munsif and Judicial Magistrate Court, Eraniel is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar/
Vacation Officer (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp/ias

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.

ENCL: Xerox copy of Joint Compromise Memo
To

1. The Principal District Munsif and Judicial Magistrate,

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



2. The Inspector of Police,
Karungal Police Station,
Kanyakumari District.

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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-18502[F] dated
07/05/2021)

Crl.O.P. (MD) No.6331 of 2021
06.05.2021

VB(02/06/2021) 3P / 5C