



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2021

CORAM:

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

Crl.O.P(MD)No.10370 of 2021

Balaganesan

Petitioner/2nd Accused

Vs

1.State represented by
The Inspector of Police,
City Crime Branch,
Tirunelveli City,
Tirunelveli District.
(Crime No.25 of 2014)

1st Respondent /Complainant

2.R.Karthikeyan

2nd Respondent /
Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to quash the charge sheet in CC No.372 of 2016 in Crime No.25 of 2014, on the file of the learned Judicial Magistrate No.I, Tirunelveli.

For Petitioner	: Mr.S.Mani
For R1	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl.side)
For R2	: Mr.P.Mariappan

O R D E R

This Criminal Original Petition is filed to quash the charge sheet in CC No.372 of 2016 in Crime No.25 of 2014, for the offences punishable under Sections 120(b), 406, 420 IPC, on the file of the learned Judicial Magistrate No.I, Tirunelveli,

2. Enquiry with the parties reveals that amicable settlement has been reached between them, by which, it is brought to the notice of this Court that the dispute with regard to recovery of money, which was pending before the DRT, Chennai has also amicably settled between the parties. Pending the above said criminal proceedings, the first accused namely, M.Andrews Navamani, entered into a compromise with the second respondent, based upon which, Crl.O.P(MD) No.21281 of 2016 was allowed by order of this Court, dated 20.06.2017. Similarly, this petitioner also paid Rs.12,50,000/- to the second respondent, in addition to the payment of Rs.4,00,000/- through a Demand Draft No.977469115 and also transferred the balance amount of Rs.8,50,000/- through RTGS to the account of the second respondent and the same was admitted by both sides. Since already prosecution was quashed between the first



accused and the second respondent and on similar line, this petition is also liable to be allowed.

3.The second respondent / defacto complainant as well as the petitioners/accused are present before this Court through video conference and they are identified by the respective learned counsel and both the parties have filed joint compromise memo stating that the matters in issue between them has been amicably resolved and therefore, the second respondent / defacto complainant is not willing to prosecute the case and therefore would pray for quashing the case.

4. The compromise memo is filed before this Court and the parties are also present at the learned Additional Public Prosecutor office and their identity has also been verified through video conference. Since the matters in issue has been compromised between the parties, no purpose will be served in keeping the case pending further.

5. In the result, by recording the compromise, this Criminal Original Petition is allowed and the proceedings in CC No.372 of 2016, on the file of the learned Judicial Magistrate No.I, Tirunelveli as against this petitioner is quashed. The joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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 No.I, tirunelveli

2.The Inspector of Police,
City Crime Branch,
Tirunelveli City,
Tirunelveli District.



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

+1 CC to M/s.S.MANI, Advocate (SR-32536[F] dated 26/10/2021)

Crl.O.P(MD)No.10370 of 2021
25.10.2021

MJ(CO)
KB(20.12.2021) 3P 5C