



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.10.2021**

CORAM:

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

Crl.O.P. (MD) No.8523 of 2021

K.Vinu

.. Petitioners/Sole Accused

Vs.

1.The Inspector of Police,
Karungal Police Station,
Kanniyakumari District.
(Crime No.81 of 2018)

.. 1st Respondent/Complainant

2.Ganapathy

.. 2nd Respondent/Defacto Complainant

3.Aarthi Ganapathy Latha .. 3rd Respondent/Victim

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the Crime No.81 of 2018 on the file of the first respondent and quash the same.

For Petitioners : Mr.R.J.Karthick
For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

For R2 & R3 : Mr.Bibin Gnana Kumar

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.27 of 2019 on the file of the learned Judicial Magistrate, Eraniel.

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.81 of 2018 for the offences punishable under Sections 341, 323, and 506(i) of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Woman Act, 2002, against the petitioner.

3.The further contention of the petitioner is that he compromised the issue with the 2nd and 3rd respondents 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.



4.The petitioners and the 2nd respondent appeared through video conference from the Office of the Government Advocate (Crl.Side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (Crl.Side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Since the 3rd respondent / the victim is nine months pregnant, she is unable to appear before this Court and her medical records were produced to that effect. 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, dated 29.10.2021, 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.27 of 2019 pending on the file of the learned Judicial Magistrate, Eraniel 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.27 of 2019, pending on the file of the learned Judicial Magistrate, Eraniel is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

Encl.: Xerox copy of Joint Compromise Memo.

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, Eraniel.

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



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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-33334[F] dated 01/11/2021)

Crl.O.P. (MD)No.8523 of 2021
29.10.2021

TR(29.11.2021) 3P 5C