



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**
Crl.O.P. (MD) No.9628 of 2021

WEB COPY

1.Vayakattusamy
2.Selvi
3.Raja
4.Balamurugan
5.Mottaisamy
6.Dhanapandian ... Petitioners/Accused No.1 to 6

Vs.

1.State represented by the
Inspector of Police,
Karimedu Police Station,
Madurai City,
Madurai District.
(Crime No.113 of 2021) ... Respondent No.1/Complainant
2.Thamotharan ... Respondent No.2/Defacto Complainant
3.Jegajothi ... Respondent No.3/Victim

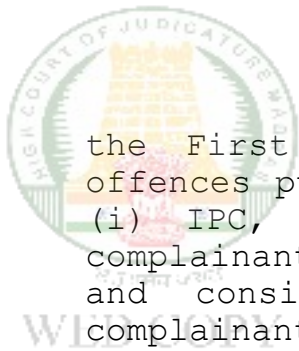
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in pertaining to the case pending in S.C.No.273 of 2021 on the file of the learned Principal Sub Court, Madurai.

For Petitioners : Mr.R.Karunanidhi
For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
For R2 & R3 : Mr.T.Gopala Krishnan

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in S.C.No.273 of 2021 on the file of the learned Principal Sub Judge, Madurai.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered
<https://hcservices.ecourts.gov.in/hcservices/>



the First Information Report in Crime No.113 of 2021 for the offences punishable under Sections 247, 294(b), 323, 364, 342 & 506 (i) IPC, against the petitioners. It appears that the defacto complainant and the accused persons are residing in the same village 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 and 3rd respondents amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 2nd and 3rd respondents and also by their respective counsels.

4.The petitioners and the 2nd and 3rd respondents appeared through video conference from the Office of the Additional Public Prosecutor before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor 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 06.07.2021, 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.273 of 2021 pending on the file of the learned Principal Sub Judge, Madurai, 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.273 of 2021, pending on the file of the learned Principal Sub Judge, Madurai, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /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.



To

1.The Principal Sub Judge, Madurai.

2.The Inspector of Police,
Karimedu Police Station,
Madurai City,
Madurai District.

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

Crl.O.P. (MD)No.9628 of 2021
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_RD(27.10.2021) 3P 4C