



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2021

CORAM:

**THE HON'BLE MR JUSTICE G.ILANGOVAN**

Cr1.OP(MD)No.11177 of 2021

WEB COPY

- 1.Jervinth  
2.Infant Arul Jesvanth @ Jesvanth  
3.Jesaiah  
4.Jeyashree @ Jeya  
5.Joyson
- ... petitioners/Accused No.1 to 5  
vs.
- 1.State rep by  
The Sub Inspector of Police,  
Thoothukudi South Police Station,  
Thoothukudi District.  
(Crime No.446 of 2021)
- ... 1<sup>st</sup> Respondent/Complainant
- 2.Maria John Crossington
- ... 2<sup>nd</sup> Respondent /Defacto  
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned in Crime No.446 of 2021 on the file of the Thoothukudi South Police Station, Thoothukudi and quash the same.

For petitioners : Mr.S.Vishnuvardhan  
For R1 : Mr.K.Sanjai Gandhi  
Government Advocate(Criminal Side)  
For R2 : Mr.S.Murugapandi

### O R D E R

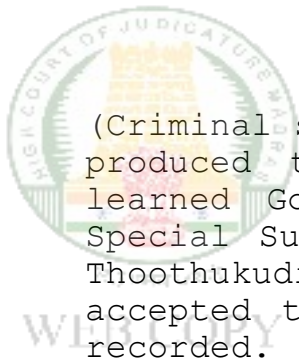
This petition has been filed to quash the Crime No.446 of 2021, on the file of the Sub Inspector of Police, Thoothukudi South Police Station, Thoothukudi District.

2.It is a case in counter case. The contention of the petitioners and the second respondent is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.446 of 2021 for the offences punishable under Sections 294 (b), 324, 341, 427 and 506 (ii) IPC, against the petitioners.

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

4.The petitioners and the second respondent appeared through video conference from the office of the learned Government Advocate

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



(Criminal side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (Criminal side) and Mr.M.Kathiresan, Special Sub-Inspector of Police, Thoothukudi South Police Station, Thoothukudi District. 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 23.07.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.446 of 2021, pending on the file of the Sub Inspector of Police, Thoothukudi South Police Station, Thoothukudi District, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.446 of 2021, pending on the file of the Sub Inspector of Police, Thoothukudi South Police Station, Thoothukudi District, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dss

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:-Copy of the Joint Compromise Memo

To

1.The Sub-Inspector of Police,  
Thoothukudi South Police Station, Thoothukudi District.

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

+1 CC to M/s.S.VISHNUVARDHAN, Advocate ( SR-29727[F] dated  
21/09/2021 )

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