



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Cr1.OP(MD)No.11199 of 2020

WEB COPY

Kanagaraj

... Petitioner/ Sole Accused

vs.

1.The State Represented by,
The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(Crime No.293 of 2019)

...1st Respondent/ Complainant

2.Kanagendran

... 2nd Respondent/ Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records in Crime No.293 of 2019 pending on the file of the 1st respondent police and quash the same as illegal.

For Petitioner	:Mr.M.S.Jeyakarthik
For R1	:Mr.R.Erottuchamy, Government Advocate(Criminal Side)
For R2	: Mr.S.S.Annadurai

O R D E R

This petition has been filed seeking to quash the First Information Report in Crime No.293 of 2019 of Elayangudi Police Station, Sivagangai District on the basis of joint compromise memo filed by the petitioner and the second respondent.

2.The contention of the petitioner is that based on the complaint lodged by the second respondent, the first respondent registered a case in Crime No. 293 of 2019 for the offences punishable under Sections 294(b), 506(ii) and 307 of Indian Penal Code, against the petitioner.

3.The further contention of the petitioner is that he wants to compromise the issue between him and the second respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the second respondent and also by their respective counsels.

4.The petitioner and the second respondent appeared in person along with their respective counsels and also produced their Aadhar cards before this Court. They were also identified by the learned Government Advocate (Criminal side) and Mr.Manickam, Sub-Inspector



of Police, Elayangudi Police Station, Sivagangai 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 petitioner and also in view of the joint compromise memo, this Court is of the opinion that no useful purpose would be served by keeping the matter pending. Hence, all further proceedings in Crime No. 293 of 2019 pending on the file of the Inspector of Police, Elayangudi Police Station, Sivagangai District, is quashed.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.293 of 2019, pending on the file of the Inspector of Police, Elayangudi Police Station, Sivagangai District, is hereby quashed in respect of the petitioner/sole accused and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 The Joint Compromise Memo

To

1.The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.

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

+1 CC to Mr.M.S.JEYAKARTHIK, Advocate (SR-2122[F] dated
27/01/2021)

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