



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G. ILANGO VAN

Crl.O.P(MD)No.11531 of 2021 and

Crl.MP(MD) No.5871 & 5872 of 2021

1.Pushparaj

2.Suseela

...Petitioners/Accused 2 & 3

Vs

1.State represented by

The Inspector of Police,

Vatchakarapatti Police Station,

Virudhunagar,

Virudhunagar District.

(In Crime No.256 of 2015)

...1st Respondent /Complainant

2.Ramesh

...2nd Respondent /

Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to call for records of impugned Charge sheet in S.T.C.No.2971 of 2019, on the file of the learned Judicial Magistrate No.I, Virudhunagar and quash the same as illegal insofar as the petitioners are concerned.

For Petitioners : Mr.A.Balaji

For R1 : Mr.K.Sanjai Gandhi

Government Advocate (Crl.side)

For R2 : Mr.V.Sasikumar

O R D E R

This Criminal Original Petition is filed to quash the impugned Charge sheet in S.T.C.No.2971 of 2019, on the file of the learned Judicial Magistrate No.I, Virudhunagar insofar as the petitioners are concerned.

2.Initially, the case in Crime No.256 of 2015 has been registered for the offences punishable under sections 294(b), 406, 419, 420 and 506(ii) IPC. Subsequently, while filing charge sheet, sections were altered into 294(b) and 506(i) IPC against the first petitioner and Section 294(b) IPC against the second petitioner.

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 S.T.C.No.2971 of 2019, on the file of the learned Judicial Magistrate No.I, Virudhunagar is quashed. Consequently, connected Miscellaneous Petitions are closed. The joint compromise memo shall form part and parcel of this order. It is made clear that insofar as the petitioners are concerned, the case in Crime No. 256 of 2015 also stands quashed, in view of the compromise reached between the parties. Insofar as the first accused is concerned, investigation may go on and subject to the compromise that has to be reached by the parties as submitted by the learned counsel for the petitioners.

Sd/-

Assistant Registrar (A.S)

// 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.

Encl: Xerox Copy of Joint Compromise Memo Dated:02.11.2021.

To:-

1.The Judicial Magistrate NO.1, Virudhunagar.

2.The Inspector of Police,
Vatchakarapatti Police Station,
Virudhunagar, Virudhunagar District.

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

+1 CC to M/s.A.BALAJI, Advocate (SR-33609[F] dated 02/11/2021)

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