



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.13978 of 2021

WEB COPY

1. Ravi
2. Pitchai
3. Marudhu
4. Prasanth
5. Dheivendran
6. Lingeswaran @ Lingam
7. Mari @ Mari Ravi
8. Vairavan
9. Manikandan
10. Arumugam

... Petitioners / Accused Nos.1 to 10

Vs.

1. The State rep. By,
The Inspector of Police,
Narikudi police station,
Virudhunagar District.
(Crime No.39 of 2021)

... 1st Respondent / Complainant

2. Ponnuthai

... 2nd Respondent / Defacto
complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records in Crime No.39 of 2021 on the file of the first respondent police and quash the same.

For Petitioners : Mr.B.Ashok Kumar

For R-1 : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

For R-2 : Mr.V.Mari

O R D E R

This criminal original petition has been filed for quashing the First Information Report in Crime No.39 of 2021 registered on the file of Narikudi police station, for the offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act,



2. The defacto complainant Ponnuthai is present before this Court. She is identified by Mr.S.Ravi Easwaran, SSI - 3903, attached to Narikudi police station. The defacto complainant Ponnuthai stated that the matter has been amicably settled and she has no objection for allowing this criminal original petition.

3. At this stage, the learned Additional Public prosecutor submitted that in the First Information Report, apart from the defacto complainant, there are quite a few other victims and that therefore, this Court may take note of that aspect before passing orders in this criminal original petition. When I queried, it is stated that a counter case to the present case was registered in Crime No.38 of 2021 and the earlier case filed in Crime No.38 of 2021 was quashed by me yesterday based on the compromise arrived at between the parties. The first petitioner herein Ravi was the defacto complainant in Crime No.38 of 2021. In other words, the accused in this case are the complainants in the other case.

4. Since the other connected case has been quashed on the strength of the compromise arrived at between the parties, the present case will have to be quashed on the very same yardstick. In any event, it is clarified that all the victims have no objection for quashing the impugned First Information Report. A joint compromise memo has also been filed. I am satisfied that there is voluntary settlement between the parties. In these circumstances, keeping the impugned prosecution alive will not be in the interest of justice. Therefore, the impugned first information report is quashed. This criminal original petition is allowed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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:

Enclose copy of Joint compromise memo.

1. The Inspector of Police,
Narikudi police station,
Tirunelveli District.

<https://hcservices.vsnl.net.in>



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

+1 CC to M/s.B.ASHOK KUMAR, Advocate (SR-33828[F] dated
09/11/2021)

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RK/SKN(22/11/2021) 3P 4C