



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P. (MD) No.11973 of 2021

Venugopal

... Petitioner / Sole Accused

Vs.

1. The State rep. By,
The Inspector of Police,
Viralimalai police station,
Pudukottai District.
(Crime No.119 of 2021)

... 1st Respondent / Complainant

2. Nagenthiran

... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to Crime No.119 of 2021 on the file of the first respondent and quash the same.

For Petitioner : M/s.B.Fazil Kirmani
For R-1 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

For R-2 : Mr.G.Thalaimutharasu

O R D E R

Heard the learned counsel on either side.

2. The petitioner is figuring as accused in Crime No.119 of 2021 registered on the file of Viralimalai police station.

3. The petitioner herein entered into a construction agreement with the defacto complainant. It appears that there arose a dispute between them and the petitioner is said to have caused injury to the defacto complainant. That led to registration of the impugned First Information Report for the offences under Sections 294(b), 324 and 506(ii) of I.P.C. To quash the same, this criminal original petition has been filed.

4. When the matter was taken up for hearing, the learned counsel appearing for the petitioner produced a copy of a compromise agreement dated 22.07.2021. There is no dispute that the compromise agreement is subsequent to the registration of the impugned First Information Report. But in the compromise agreement, there is no reference to the impugned First Information Report at all.



Therefore, on the strength of the compromise agreement dated 22.07.2021, I am not in a position to quash the impugned First Information Report. All the contentions and the defences of the petitioner are left open.

5. This criminal original petition is dismissed.

Sd/-

Assistant Registrar (AE)

// 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:

1. The Inspector of Police,
Viralmalai police station,
Pudukottai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Cr1.O.P.(MD)No.11973 of 2021
13.12.2021

MGJ(23.12.2021) 2P 3C