



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD) No.12321 of 2021

1.V.Bose

2.B.Manikandan

3.Amutha

4.Jothilakshmi

... Petitioners /

Accused No.1,3,9 and 10

Vs.

1.The State

represented by The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai,
Sivagangai District.
Crime No.316 of 2016

...1st Respondent/Complainant

2.Nachi @ Nachammai

...2nd Respondent/ Defacto
Complainant

3.Velu

...3rd Respondent/complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to quash the charge sheet in C.C.No.192 of 2020 pending on the file of the learned Judicial Magistrate No.II, Sivagangai, insofar as this petitioners are concerned.

For Petitioners	: Mr.S.Vijayakumar
For R1	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl.Side)
For R2 & R3	: Mr.S.Poorna Chandran

ORDER

This petition is filed seeking quashment of the Charge Sheet in C.C.No.192 of 2020 on the file of the learned Judicial Magistrate No.II, Sivagangai.

2.The contention of the petitioners is that they are the accused Nos.1, 3, 9 and 10 in C.C.No.192 of 2020. Based upon the

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complaint given by the 2nd respondent herein, the 1st respondent has registered the First Information Report in Crime No.316 of 2016 for the offences punishable under Sections 147, 294(b) and 506(ii) of IPC against the petitioners and others.

3.The learned counsel appearing for the petitioners would submit that the petitioners compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 2nd respondent and also by their respective counsels. In support his contention, he relies upon the judgment of this Court passed in **CrI.O.P.(MD) No.18320 of 2018 dated 11.10.2018.**

4.The petitioners and the 2nd respondent appeared through video conference from the Office of the Government Advocate (CrI.Side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (CrI.Side) and the Investigation Officer. 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 18.08.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.192 of 2020 pending on the file of the learned Judicial Magistrate No.II, Sivagangai is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.192 of 2020, pending on the file of the learned Judicial Magistrate No.II, Sivagangai is hereby quashed in respect of this petitioners and the terms of joint compromise memo shall form part of this order. Insofar as other accused persons are concerned, the investigation may go on.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Mm

Enclose:- Copy of the Joint Compromise Memo.

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 Judicial Magistrate No.II, Sivagangai.

2.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai,
Sivagangai District.

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

+1 CC to M/s.S.VIJAYAKUMAR, Advocate (SR-30388[F] dated
27/09/2021)

Crl.O.P. (MD) No.12321 of 2021
24.09.2021

_RD(7.10.2021) 3P 5C