



WEB COPY

Crl.O.P.(MD)Nos.13631 and 13635 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.11.2021**

CORAM:

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

Crl.O.P. (MD) Nos.13631 and 13635 of 2021

T. Kumar

... Petitioner / Accused

in Crl.O.P.No.13631/21

2nd respondent / Defacto Complainant

Crl.O.P(MD).No.13635 of 2021

Vs.

1.The State represented
by its Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.20 of 2018)
(Crime No.18 of 2018).

... 1st respondent in both Crl.O.P.s

2.S. Lingam

... Petitioner in

Crl.O.P(MD).No.13635 of 2021

2nd respondent / Defacto Complainant

Crl.O.P(MD).no.13631 of 2021

COMMON PRAYER: These Criminal Original Petitions are filed under Section 482 Cr.P.C, to call for the records pertaining to the case in C.C.Nos.1456 of 2020 and 1449 of 2020 on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli District and quash the same.

Petitioner in

Crl.O.P(MD).No.13635 of 2021

2nd respondent in

Crl.O.P(MD).No.13631 of 2021 : Mr. A. Kesavan

Petitioner in

Crl.O.P(MD).No.13631 of 2021

2nd respondent in

Crl.O.P(MD).No.13635 of 2021 : Mr. P. Rengaraju

For 1st respondent

in both Crl.O.Ps

: Mr.K. Sanjay Gandhi
Government Advocate
(Crl. Side)



ORDER

These Criminal Original Petitions have been filed seeking to quash the charge sheet in C.C.No.1456 of 2020 and 1449 of 2020 on the file of the Judicial Judicial Magistrate, Radhapuram, Tirunelveli District

2. This is a case of case and counter. Based on the complaint given by the petitioner in both Crl.O.Ps case have been registered by the 1st respondent Police in Crime No.20 of 2018 and Crime No.18 of 2018 respectively. The case has been registered for the offences under Sections 294(b), 324, 427 and 506(ii) IPC in Crime No.20 of 2018 and for the offences under Sections 452, 294(b), 324 and 506(ii) in Crime No.18 of 2018 respectively and the same were charge sheeted in C.C.No.1456 of 2020 and C.C.No.1449 of 2020 respectively on the file of the Judicial Magistrate, Radhapuram. It appears that both the petitioners are residing in the same village and they are maintaining the cordial relationship and they wanted to compromise the matter between them.

3. The further contention of the petitioners is that they compromised the issue with them amicably. A joint memo of compromise were filed, which have been duly signed by the petitioner in both Crl.O.Ps and also by their respective counsels.

4. Both the petitioner appeared through video conference from the Office of the Additional Public Prosecutor (Crl.Side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor (Crl.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 memos, dated 24.09.2021 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.1456 of 2020 and C.C.No.1449 of 2020 pending on the file of the Judicial Magistrate, Radhapuram is quashed and the compromise memos are recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.1456 of 2020 and C.C.No.1449 of 2020, pending on the file of the learned Judicial Magistrate,



Radhapuram. is hereby quashed in respect of the petitioners and the terms of joint compromise memos shall form part of this order.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

trp

To

(ENCL: Joint Compromise Memo)

1.The Judicial Magistrate, Radhapuram.

2.Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.

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

CrI.O.P. (MD) Nos.13631 and 13635 of 2021
02.11.2021

SJ(CO)

SB(07.12.2021) 3P 4C