



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Cr1.OP(MD)No.13555 of 2021

WEB COPY

S.Sabir @ Sabeerkan

... petitioner/Accused No.7

vs.

1.The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.
(in Crime No.338 of 2020)

... 1st Respondent/Complainant

2.Meyyar

... 2nd Respondent /Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records relating to the impugned FIR in Crime No.338 of 2020 on the file of the 1st Respondent Police and quash the same.

For Petitioner : Mr.A.Balaji

For R1 : Mr.R.M.Anbunithi,
Additional public Prosecutor(crl. side)

For R2 : Mr.S.Saravanakumar

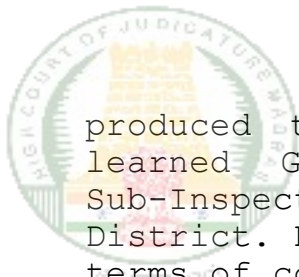
O R D E R

This petition has been filed to quash the Crime No.338 of 2020 on the file of the Inspector of Police, Karaikudi South Police Station, Sivagangai District.

2.The contention of the petitioner and the second respondent is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.338 of 2020 for the offences punishable under Sections 147, 148, 294 (b), 506 (ii) of IPC and Section 3 of Public Property (Prevention of Damage and Loss) Act, 1992, against the petitioner.

3.The further contention of the petitioner is that he compromised the issue with the second respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the second respondent and also by their respective counsels.

4.The petitioner and the second respondent appeared through video conference from the office of the learned Government Advocate (<https://hcservices.ecourts.gov.in/hcservices/>) (Criminal side) before this Court along with their counsels and also



produced their Aadhar cards. They were also identified by the learned Government Advocate (Criminal side) and Mr.A.Alagar, Sub-Inspector of Police, Karaikudi South Police Station, Sivagangai District. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

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5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, dated 15.09.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.338 of 2020, pending on the file of the Inspector of Police, Karaikudi South Police Station, Sivagangai District, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.338 of 2020, pending on the file of the Inspector of Police, Karaikudi South Police Station, Sivagangai District, is hereby quashed in respect of the petitioner herein alone and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Dss

Encl:- 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 Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.OP(MD)No.13555 of 2021

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RD(24.09.2021) 2P 3C