



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

Crl.OP(MD)No.13617 of 2021

WEB COPY

1.Nagajothi
2.Ramachandran

... petitioners/Accused Nos.2 & 3

vs.

1.State through
The Inspector of Police,
Alanganallur Police Station,
Madurai District.
(in Crime No.182 of 2012)

... 1st Respondent/Complainant

2.Malar Raja

... 2nd Respondent /Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned FIR in Crime No.182/2012 dated 15.06.2012, on the file of the 1st Respondent Police and to quash the same against the petitioner as illegal.

. For petitioners : Mr.S.Vickram
For R1 : Mr.K.Sanjai Gandhi
Government Advocate(Criminal Side)
For R2 : Mr.G.Kalidoss

O R D E R

This petition has been filed to quash the impugned FIR in Crime No.182/2012 dated 15.06.2012, on the file of the Inspector of Police, Alanganallur Police Station, Madurai District.

2.It is a dispute between two brothers and their family members.

3.The second petitioner was a juvenile at the time of occurrence. So, after attaining majority, he cannot enter into compromise. But, however, as per Section 14 of the Juvenile Justice (Care and Protection of Children) Act, the proceedings against the juvenile, must be completed within four months and extension period is two months. In total within 5 months, it must be completed. Otherwise, it will get automatically terminated. So, since the



proceedings against the second respondent has been terminated automatically, no further order is necessary, on the basis of the compromise.

4.The contention of the petitioners 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.182 of 2012 for the offences punishable under Section 294 (b), 324, 355 & 506 (ii) of IPC, against the petitioners.

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

6.The petitioners and the second respondent appeared through video conference from the office of the learned Government Advocate (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.V.Bose, Special Sub-Inspector of Police, Alanganallur Police Station, Madurai District. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

7.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 26.08.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.182 of 2012, pending on the file of the Inspector of Police, Alanganallur Police Station, Madurai District, is quashed and the compromise memo is recorded.

8.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.182 of 2012, pending on the file of the Inspector of Police, Alanganallur Police Station, Madurai District, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

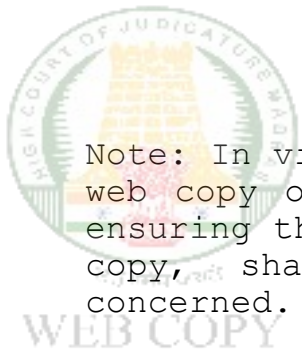
Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 Joint Compromise Memo.

1. The Inspector of Police,
Alanganallur Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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