



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Cr1.OP(MD)No.15521 of 2020

WEB COPY

1.Karuppasamy

2.Sankar rajan @ Sankar

3.Vellaisamy

4.Kalaiselvan

5.Kasirajan

6.Manokaran ... Petitioners/Accused No.1 to 6
vs.

1.State Represented by,
The Inspector of Police,
Ottapidaram Police Station,Thoothukudi District.
(Crime No.129 of 2015) ...Respondent/Complainant

2.Senthilkumar ... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records in SC.No.112 of 2018 pending on the file of the Assistant Sessions Judge, Kovilpatti, Thoothukudi District and quash the same as illegal.

For Petitioners : Mr.K.Navaneetharaja
For R1 : Mr.A.Robinson,
Government Advocate (Criminal Side)

O R D E R

This petition has been filed seeking to quash the SC.No.112 of 2018 pending on the file of the learned Assistant Sessions Judge, Kovilpatti, Thoothukudi District on the basis of a joint compromise memo filed by the petitioners and the second respondent.

2.The contention of the petitioners is that based on the complaint lodged by the second respondent, the first respondent registered a case in Crime No.129 of 2015 for the offences punishable under Sections 147, 148, 341, 294(b), 307 and 506(ii) of Indian Penal Code, against the petitioner and now, the case is pending in SC.No.112 of 2018 on the file of the learned Assistant Sessions Judge, Kovilpatti, Thoothukudi District.

3.The further contention of the petitioners is that they want to compromise the issue between them and 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.

4.The petitioners and the second respondent appeared in persons along with their respective counsels and also produced their Aadhar cards before this Court. They were also identified by the learned Government Advocate (Criminal side) and Mr.C.Chandrasekar, Special Sub-Inspector of Police, Ottapidaram Police Station, Thoothukudi District. Both the parties to compromise 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, this Court is of the opinion that no useful purpose would be served by keeping the matter pending. Hence, all further proceedings in SC.No.112 of 2018 pending on the file of the learned Assistant Sessions Judge, Kovilpatti, Thoothukudi District, is quashed.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in SC.No.112 of 2018 pending on the file of the learned Assistant Sessions Judge, Kovilpatti, Thoothukudi 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 (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.

Encl: Photocopy of the Joint Compromise memo.

To

- 1.The Inspector of Police, Ottapidaram Police Station, Thoothukudi.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 3.The Assistant Sessions Judge, Kovilpatti, Thoothukudi District.

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