



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 26.10.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

**CrI.O.P. (MD) No.14424 of 2021**

WEB COPY

1.Muthukumar

2.Rajkiran

3.Chithiravelu

4.Muthu @ Muthudurai

... Petitioners/Accused 1 to 4

Vs.

1.State represented by

The Inspector of Police,  
Avudaiyarkoil Police Station,  
Pudukkottai District.

(Crime No.68 of 2019)

... 1<sup>st</sup> Respondent/Complainant

2.Palanivel

... 2<sup>nd</sup> Respondent/Defacto Complainant

3.Periyasamy

... 3<sup>rd</sup> Respondent/Victim

**PRAYER:** Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in S.C.No.74 of 2020 on the file of the Sub Court, Aranthangi and quash the same as illegal.

For Petitioners : Mr.T.Lenin Kumar

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor (CrI.Side)

For R2 & R3 : Mr.D.Venkatesh

**ORDER**

This Criminal Original Petition has been filed seeking to quash the charge sheet in S.C.No.74 of 2020 on the file of the Sub Court, Aranthangi.

2.The contention of the petitioners is that based on the complaint lodged by the 2<sup>nd</sup> respondent, the 1<sup>st</sup> respondent registered the First Information Report in Crime No.68 of 2019 for the offences punishable under Sections 294(b), 342 & 307 of IPC r/w 34, 109 of IPC, against the petitioners. It appears that the defacto complainant and the accused persons are close relatives. Even though it is a case of 307 IPC and the injury is grievous in nature the victim is present before this Court and stated that he wants to compromise the matter with the petitioners.

3.The further contention of the petitioners is that they compromised the issue with the 2<sup>nd</sup> respondent amicably. A joint memo



of compromise was filed, which has been duly signed by the petitioners and the 2<sup>nd</sup> respondent and also by their respective counsels.

4.The petitioners and the 2<sup>nd</sup> respondent 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 memo, dated 01.09.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in S.C.No.74 of 2020 pending on the file of the Sub Court, Aranthangi is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.C.No.74 of 2020, pending on the file of the Sub Court, Aranthangi is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

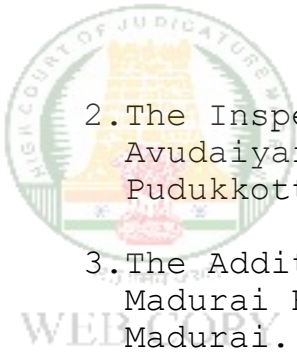
TM

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: Xerox Copy of Joint Compromise Memo**

To

1.The Sub Court,  
Aranthangi.



2.The Inspector of Police,  
Avudaiyarkoil Police Station,  
Pudukkottai District.

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

**Crl.O.P. (MD) No.14424 of 2021**  
**26.10.2021**

TP (CO)  
GC (26.11.2021) 3P 4C