



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

CrI.OP(MD)No.13651 of 2020 &
CrI.MP(MD)Nos.6291 & 6292 of 2020

WEB COPY

I.Siva ... Petitioner/Accused No.1
vs.

1.The State Represented by,
The Sub Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.148 of 2017) ...1st Respondent/Complainant

2.Annadurai ...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in CC.No.1263 of 2020 on the file of the Judicial Magistrate, Radhapuram, Tirunelveli District and quash the same.

For Petitioner :Mr.A.Kesavan
For R1 :Mr.A.Robinson,
Government Advocate(Criminal Side)

For R2 :Mr.S.M.Anantha Murugan

O R D E R

This petition has been filed seeking to quash the proceedings in CC.No.1263 of 2020 on the file of the Judicial Magistrate, Radhapuram, Tirunelveli on the basis of a joint compromise memo filed by the petitioner and the second respondent.

2. The contention of the petitioner is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.148 of 2017 for the offences punishable under Sections 452, 294(b) and 506(ii) of Indian Penal Code.

3. The further contention of the petitioner is that he wants to compromise the issue between him and the second respondent amicably. A joint memo of compromise is 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 in person 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.SreePaul, HC702, Koodankulam Police Station, Tirunelveli 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 petitioner and also in view of the joint compromise memo, dated 16.12.2020, this Court is of the opinion that no useful purpose would be served by keeping the matter pending.

6. In the result, the Criminal Original Petition stands allowed and the entire proceedings in CC.No.1263 of 2020, on the file of the Judicial Magistrate, Radhapuram, Tirunelveli District, is hereby quashed in respect of the petitioner/accused and the terms of joint compromise memo shall form part of this order. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

// 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 : Xerox copy of Joint Compromise Memo.

To

The Sub Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.

Copy to:

1. The Judicial Magistrate, Radhapuram,
Tirunelveli District.

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

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srt(CO)

<https://hcservices.courts.gov.in/hcservices/>
RK(18.02.2021) 2P 4C