



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.15715 of 2020

M.Arun

... Petitioner

Vs.

State rep. by

1.The Inspector

Eraniel Police Station,

Kanyakumari District.

Crime No.02/2020

2.M.Ezhilarasi

3.S.Prabin Bruno

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records on the file of the first respondent, Eraniel Police Station, Kanyakumari District, in Crime No.2 of 2020 and quash the same.

For Petitioner : Mr.S.C.Herold Singh

For 1st Respondent : Mr.R.Erottuchamy

Government Advocate (Crl. Side)

For Respondents 2 & 3 : Mr.Rama Swamy

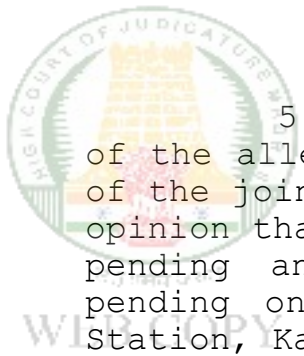
ORDER

This petition has been filed seeking to quash the charge sheet filed in Crime No.2/2020 of Eraniel Police Station, Kanyakumari District, on the basis of joint compromise memo filed by the petitioner and the respondents 2 and 3.

2.The contention of the petitioner is that based on the complaint lodged by the second respondent, the first respondent registered a case in Crime No.2/2020 for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC against the petitioner.

3.The further contention of the petitioner and the respondents 2 and 3 is that they want to compromise the issue between them amicably and joint memo of compromise is also filed in the typed set of papers, which have been duly signed by the petitioner and the respondents 2 and 3 and also by their respective counsels.

4.The petitioner and the respondents 2 and 3 appeared in person along with their respective counsels and also produced their Aadhar card before this Court. Their identification were also verified by this Court, in addition to the confirmation of the identification of the parties by the learned Government Advocate (Crl. side).



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 23.11.2020, this Court is of the opinion that no useful purpose would be served in keeping the matter pending and hence, all further proceedings in Crime No.2/2020 pending on the file of the Inspector of Police, Eraniel Police Station, Kanyakumari District, is liable to be quashed.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.2/2020, pending on the file of the Inspector of Police, Eraniel Police Station, Kanyakumari District, is hereby quashed in respect of the petitioner/accused and the terms of joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar (AS)

// 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

1.The Inspector

Eraniel Police Station,
Kanyakumari District.

2.The Additional Public Prosecutor,

Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.15715 of 2020
06.01.2021

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KB(20.01.2021) 2P 3C