



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**
Crl.O.P. (MD) No.14564 of 2021
and Crl.M.P. (MD) .No.7692 of 2021

WEB COPY

- 1.Athilan
- 2.Vivek
- 3.Praveen
- 4.Pratheesh
- 5.Rabeesh

... Petitioners/Accused No.1 to 5

Vs.

- 1.The State rep. by
The Inspector of Police,
Asaripallam Police Station,
Kanniyakumari District.
(Crime No.25 of 2021)

... 1st Respondent/Complainant

- 2.Mathurananthan

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the Crime No.25 of 2021 on the file of the first respondent and quash the same.

For Petitioners : Mr.S.Vikram

For R1 : Mr.K.Sanjai Gandhi

Government Advocate (Crl. Side)

For R2 : Mr.G.Kalidoss

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.25 of 2021 on the file of the 1st respondent police.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.25 of 2021 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 341, 379 & 506 (ii) of IPC against the petitioners.

3.The further contention of the petitioners is that they compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the

<https://hcservices.ecourts.gov.in/hcservices/>



petitioners and the 2nd respondent and also by their respective counsels.

4.The petitioners and the 2nd 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 20.10.2021, 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.25 of 2021 pending on the file of the 1st respondent police is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.25 of 2021, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Enclosed herewith Copy of the Joint Compromise Memo

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.

To

1.The Inspector of Police,
Asaripallam Police Station,
Kanniyakumari District.



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

+1 CC to M/s.S.VIKRAM, Advocate (SR-33337[F] dated 01/11/2021)

WEB COPY

Crl.O.P. (MD)No.14564 of 2021

29.10.2021

RD(29.11.2021) 3P 4C