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Cr1.O.P.(MD)No.14356 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Cr1.O.P. (MD) No.14356 of 2021

and

Cr1.M.P. (MD) Nos.7525 and 7526 of 2021

N.Balakrishnan

... Petitioner/Accused No 2

Vs.

1.The Inspector of Police,
Uthirakosamangalai Police Station,
Ramanathapuram District.
(Crime No.41/2017)

... Respondent/Complainant

2.B.Ajithkumar

... Respondent No 2/
Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the record pertaining to the impugned charge sheet in C.C.No.319 of 2019 on the file of the learned Judicial Magistrate No.1, Ramanathapuram in Crime No.41 of 2017 dated 19.06.2017 on the file of the Respondent No.1 for the offences under Sections 294 (b) and 325 of IPC and quash the same as illegal in respect of petitioner is concerned.

For Petitioner : Mr.T.Thirumurugan

For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Cr1.Side)

For R2 : Mr.A.Kalidoss

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.319 of 2019 on the file of the learned Judicial Magistrate-I, Ramanathapuram.

2.The contention of the petitioner is that based upon the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.41 of 2017 for the offences punishable under Sections 294(b) and 323 of IPC against the petitioner.

3.The further contention of the petitioner is that he compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the 2nd respondent and also by their respective



4.The petitioner and the 2nd respondent appeared through video conference from the Office of the learned Government Advocate (Crl.Side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (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 petitioner and also in view of the joint compromise memo, dated 05.10.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.319 of 2019 pending on the file of the learned Judicial Magistrate-I, Ramanathapuram is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.319 of 2019 pending on the file of the learned Judicial Magistrate-I, Ramanathapuram is hereby quashed and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CRL)

// 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.

To

1.The Judicial Magistrate No I,Ramanathapuram.

2.The Inspector of Police,
Uthirakosamangalai Police Station,
Ramanathapuram District.

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

Crl.O.P. (MD)No.14356 of 2021

08.10.2021