



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

CrI.OP(MD)No.16003 of 2020

1.Esakkipandi @ Esakkipandian
2.Thalavai
3.Selvam @ Selvamoorthi

... Petitioners

vs.

1.State Represented by,
The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District,
In Crime No.124 of 2018

2.Kathir Jegatheesh
(2nd respondent being minor
represented by his mother and Guardian)

3.Kodeeswari

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in C.C.No.136 of 2020 on the file of the District Munsif cum Judicial Magistrate Court, Cheranmahadevi, Tirunelveli District and quash the same.

For Petitioners : Mr.S.Sathya Chidambaram
For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to quash the proceedings in C.C.No.136 of 2020 on the file of the District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli District, on the basis of a joint compromise memo filed by the petitioners and the respondents 2 and 3.

2.The contention of the petitioners is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.124 of 2018 for the offences punishable under Sections 341, 294(b), 323, 506(1) of Indian Penal Code and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002, against the petitioners.

3.The further contention of the petitioners is that they want to compromise the issue between them and the respondents 2 and 3 amicably. A joint memo of compromise is filed, which has been duly signed by the petitioners and the respondents 2 and 3 and also by their respective counsels.



4.The petitioners and the respondents 2 and 3 appeared in person before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor and Mr.S.Ganeshan, Special Sub-Inspector of Police, Mukkudal 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 petitioners and also in view of the joint compromise memo, dated 21.12.2020, 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 C.C.No.136 of 2020 on the file of the District Munsif cum Judicial Magistrate, Cheranmahadevi, Tirunelveli District 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-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 District Munsif-cum-Judicial Magistrate Court,
Cheranmahadevi, Tirunelveli District.

2.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District,

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

ENCL: Xerox copy of the Joint Compromise Memo dt 21/12/2020.

CrI.OP(MD)No.16003 of 2020

02.02.2021

(ES)

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

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