



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P. (MD) No.14851 of 2021

WEB COPY

1.Dhineshkumar

2.Praveen Kumar

... Petitioners / A1 and A3

Vs.

1.The State represented
the Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.

...1st Respondent/Complainant

2.Selvaraj

...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 impugned charge sheet in S.C.No.48 of 2020 on the file of the Principal District Sessions Judge, Pudukkottai and quash the same.

For Petitioners	: Mr.A. Arunprasad
For R1	: Mr.K. Sanjai Gandhi Government Advocate (Crl. Side)
For R2	: Mr.A. Ponraj

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in S.C.No.48 of 2020 on the file of the Principal District and Sessions Judge, Pudukkottai.

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.94 of 2013 for the offences punishable under Section 436 IPC against the petitioners. It appears that the defacto complainant and the accused persons are residing in the same village and the second respondent is maintaining the cordial relationship each of them and considering the future of the petitioners, the defacto complainant wanted to compromise the matter with the petitioners.



3.The further contention of the petitioners is that they compromised the issue with the 2nd respondent amicably. The defacto complainant would submit that he has received a sum of Rs.20,000/- as compensation from the accused persons. A joint memo of compromise was filed, which has been duly signed by the 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 02.11.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in S.C.No. (*) 48 of 2020 pending on the file of the Principal District Sessions Judge, Pudukkottai is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.C.No. (*) 48 of 2020 pending on the file of the Principal District Sessions Judge, Pudukkottai is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (AD-I)

(*) Corrected as per the order of this Court dated 12/01/2022 made in CRL MP (MD) .No.419 of 2022 CRL.OP (MD) .No.14551 of 2021

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp



To

(*) To be substituted the order already despatched on 21.12.2021

Enclose copy of Joint Compromise Memo.

- 1.The Principal District & Sessions Judge,
Pudukkottai.
- 2.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.14851 of 2021
2.11.2021

RK(20/12/2021) 3P 4C

NSN(CO)

KB(01.02.2022) 3P 4C