



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.15592 of 2020

Ravi @ Ravichandran

... Petitioner

Vs.

1.State rep., by
The Inspector of Police,
Alwarthirunagiri Police Station,
Thoothukudi District.

2.Rajesh

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records pertaining to the proceedings in S.C.No.72 of 2018 on the file of the Principal District and Sessions Court, Thoothukudi and quash the same.

For Petitioner : Mr.A.D.Ganeshmoorthy

For R1 : Mr.R.Erottuchamy
Government Advocate (Crl. Side)

For R-2 : Mr.Tha.Kanagamuthu

ORDER

This petition has been filed seeking to quash the charge sheet in S.C.No.72 of 2018 on the file of the Principal District and Sessions Court, Thoothukudi, on the basis of joint compromise memo filed by the petitioner and the second respondent.

2.The contention of the petitioner is that based on the complaint lodged by the second respondent, the first respondent registered a FIR in Crime No.175/2016 for the offences punishable under Sections 341 and 506(i) IPC and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, against the petitioner and charge sheet has been filed before the learned Principal District and Sessions Judge, Thoothukudi and the same was taken on file as SC.No.72 of 2018.



3.The further contention is that the petitioner and the second respondent compromised the issue between them amicably. They also filed joint memo of compromise, which has been duly signed by the petitioner and the second respondent and also by their respective counsels.

WEB COPY

4.The petitioner and the second respondent appeared in person along with their respective counsels and also produced their Aadhar card before this Court. They were also identified by the learned Government Advocate (Crl. side) and Mr.P.Ravichandran, Spl.Sub-Inspector of Police, Alwarthirunagari Police Station, Thoothukudi District.

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 29.07.2020, this Court is of the opinion that no useful purpose would be served by keeping the matter pending. Hence, all further proceedings in SC.No.72 of 2018 pending on the file of the learned Principal District and Sessions Judge, Thoothukudi, is liable to be quashed.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in SC.No.72 of 2018 pending on the file of the learned Principal District and Sessions Judge, Thoothukudi, is hereby quashed in respect of the petitioner/sole accused and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Encl:Xerox copy of joint compromise memo dated 29.07.2020
rmk

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 Principal District and
Sessions Judge, Thoothukudi.

2.The Inspector of Police,
Alwarthirunagiri Police Station,
Thoothukudi District.

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

+1 CC to Mr.A.D.GANESH MOORTHY, Advocate (SR-732[F] dated
11/01/2021)

Crl.O.P. (MD) No.15592 of 2020
08.01.2021

KM (04.02.2021) 3P 5C