



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2021

CORAM :

WEB COPY

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.15329 of 2020

1.Chinnaraja @ Satham
2.Periyaraja @ Prabakaran : Petitioners/Accused Nos.1 & 2

Vs.

State rep., by

1. The Assistant Commissioner of Police,
Tirunelveli City, Tirunelveli.

2. State rep., by

The Sub-Inspector of Police,
Pettai Police Station,
Tirunelveli City.

In Crime No.992 of 2020 : 1st & 2nd Respondents/Complainant

3.Madasamy : 3rd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to call for the records in Crime No.992/2020 on the file of the first respondent police for an alleged offence under sections 341, 294(b), 506(ii) of IPC, and Sections 3(1)(r), 3(1)(s), 3(2)(va) of Prevention of SC/ST (POA) Act on the file of the 1st respondent and quash the same.

For Petitioners : Mr.M.Maran
For R1 & R2 : Mr.R.Erottuchamy
Government Advocate (Crl. Side)
For R-3 : Mr.R.Gokul

ORDER

This petition has been filed seeking to quash the FIR in Crime No.992/2020 of Pettai Police Station, Tirunelveli District, on the basis of joint compromise memo filed by the petitioners and the third respondent.

2.The contention of the petitioners is that based on the complaint lodged by the third respondent, the second respondent



registered FIR in Crime No.992/2020 for the offences punishable under Sections 341, 294(b) and 506(ii) IPC and Sections 3(1) (r), 3(1) (s), 3(2) (va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989, against the petitioners.

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

4.The petitioners and the third 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.S.Veluchamy, Spl.Sub-Inspector of Police, Pettai Police Station, Tirunelveli District.

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 14.12.2020, this Court is of the opinion that no useful purpose would be served by keeping the matter pending. Hence, all further proceedings in Crime No.992/2020 pending on the file of the Sub-Inspector of Police, Pettai Police Station, Tirunelveli District, is quashed.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.992/2020, pending on the file of the Sub-Inspector of Police, Pettai Police Station, Tirunelveli District, is hereby quashed in respect of the petitioners/accused 1 and 2 and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

Enclose: Xerox Copy of Joint Compromise Memo.

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 Assistant Commissioner of Police,
Tirunelveli City, Tirunelveli.
2. The Sub-Inspector of Police,
Pettai Police Station,
Tirunelveli City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD) No.15329 of 2020

08.01.2021

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