



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.18747 of 2021

WEB COPY

1. Sujith
2. Raja Ananth @ Jegan Ananth
3. Mahesh

... Petitioners / Accused

Vs.

1. The State rep. By,
The Sub Inspector of Police,
Kanyakumari police station,
Kanyakumari District.
(Crime No.211 of 2018)

... 1st Respondent / Complainant

2. Vijayakumar

... 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 proceedings in C.C.No.140 of 2021 pending on the file of the learned Judicial Magistrate No.I, Nagercoil and quash the same.

For Petitioners	: Mr.G.Aravinthan
For R-1	: Mr.A.Albert James, Government Advocate.
For R-2	: Ms.M.Nandhini Priyadharshini

* * *

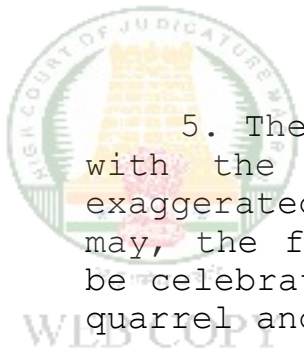
O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the proceedings in C.C.No.140 of 2021 on the file of the Judicial Magistrate No.I, Nagercoil.

3. The defacto complainant Vijayakumar is present in person before this Court. He has been duly identified by Thiru.V.Rajasekharan, SSI-1001, attached to the first respondent police station.

4. The learned Government Advocate submitted that the petitioners are having bad antecedents.



5. The first petitioner frankly admitted that he had a quarrel with the defacto complainant. But the police have given an exaggerated version in the First Information Report. Be that as it may, the first petitioner states that his sister's marriage is to be celebrated next month and he decided to give up the old ways of quarrel and that he should conduct himself properly in future.

6. I am of the view that the first petitioner must be given an opportunity to mend his ways. When the defacto complainant himself does not want to pursue the matter, no purpose will be served in keeping the impugned prosecution alive. Therefore, the impugned proceedings are quashed. This criminal original petition is allowed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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,
Nagercoil.
2. The Sub Inspector of Police,
Kanyakumari police station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD)No.18747 of 2021
29.11.2021

RK(14/12/2021) 2P 4C

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