



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P (MD)No.15882 of 2020

and

Crl.M.P (MD) .Nos.7798 and 7800 of 2020

WEB COPY

1.Anbalagan

S/o.Rajendrakumar

2.Nelson

S/o. Ponnaiya

... Petitioners/Accused No.7 & 12.

Vs

State through

1.The Inspector of Police,
Sivagiri Police Station,
Sivagiri,
Tirunelveli District.
(Crime No.89 of 2016)

... Respondent No.1/Complainant

2.Jayagurusamy

... Respondent No.2/
Defacto Complainant

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the final report in C.C.No.31 of 2019 for the offence under Section 147, 294(b), 323 and 506(1) of IPC on the file of the I Additional District Munsif Cum Judicial Magistrate Court, Sivagiri, Tirunelveli District and quash the same in respect of the petitioners.

For Petitioner : Mr.D.Veerasekaran

For R1 : Mr.S.Manikandan

Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition is filed to quash the final report in C.C.No.31 of 2019 pending on the file of the I Additional District Munsif Cum Judicial Magistrate Court, Sivagiri, Tirunelveli District, for the offences punishable under Sections 147, 294(b), 323 and 506(i) IPC.

2.When the matter is taken up for hearing, the learned counsel for the petitioners seeks permission of this Court to withdraw the Criminal Original Petition insofar as the first petitioner is concerned.

3. Permission is granted.

4.The second respondent/defacto complainant as well as the second petitioner/accused are present before this Court and they are



identified by the respective learned counsel and the second petitioner and the second respondent have filed joint compromise memo stating that the matters in issue between them has been amicably resolved and therefore, the second respondent / defacto complainant is not willing to prosecute the case and therefore would pray for quashing the case.

5. The compromise memo is filed before this Court and the second petitioner and the second respondent are also present before this Court and their identity has also been verified. Since the matters in issue has been compromised between the second respondent and the second petitioner, no purpose will be served in keeping the case pending further.

6. In the result, this Criminal Original Petition is dismissed as withdrawn insofar as the first petitioner is concerned and by recording the compromise, this Criminal Original Petition is allowed insofar as the second petitioner is concerned and the proceedings in final report in CC No.31 of 2019 pending on the file of the I Additional District Munsif Cum Judicial Magistrate Court, Sivagiri, Tirunelveli District is quashed against the second petitioner alone. The joint compromise memo shall form part and parcel of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

tta

Encl: Photocopy of Compromise Memo Attached.

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. I Additional District Munsif Cum Judicial Magistrate,
Sivagiri, Tirunelveli District,
2. The Inspector of Police,
Sivagiri Police Station,
Sivagiri,
Tirunelveli District.



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

Crl.O.P(MD)No.15882 of 2020
13.12.2021

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MGJ(10.01.2022) 3P 4C