



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

Crl.OP(MD)No.15800 of 2020

1.Avinraj
2.Muthaiah @ Muthaiya durai
3.Abhiraham ... Petitioners/Accused 1 to 3

vs.

1. The Sub Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
(Crime No.197 of 2020) ... Respondent/Complainant

2. Yosuva ... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records in Crime No.197 of 2020 pending on the file of the first respondent police and quash the same as illegal.

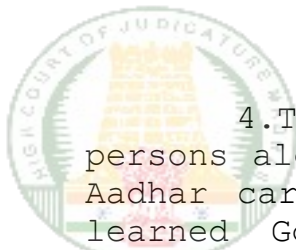
For Petitioners	: Mr.A.Uthayakumar
For R1	: Mr.R.Erottuchamy, Government Advocate(Criminal Side)
For R2	: Mr.M.Karunanidhi

O R D E R

This petition has been filed seeking to quash the First Information Report in Crime No.197 of 2020 of Devarkulam Police Station, Tirunelveli District on the basis of joint compromise memo filed by the petitioners and the second respondent.

2.The contention of the petitioners is that based on the complaint lodged by the second respondent, the first respondent registered a case in Crime No.197 of 2020 for the offences punishable under Sections 294(b), 324 and 506(ii) of Indian Penal Code, against the petitioners.

3.The further contention of the petitioners is that they want to compromise the issue between them and the second respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the second respondent and also by their



4.The petitioners and the second respondent appeared in persons along with their respective counsels and also produced their Aadhar cards before this Court. They were also identified by the learned Government Advocate (Criminal side) and Mr.M.Natarajan, Special Sub-Inspector of Police, Devarkulam Police Station, Tirunelveli District. Both the parties to compromise 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 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.197 of 2020 pending on the file of the Sub Inspector of Police, Devarkulam Police Station, Tirunelveli District, is quashed.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.197 of 2020, pending on the file of the Sub Inspector of Police, Devarkulam Police Station, Tirunelveli District, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-
Assistant Registrar (RTI Act)

// True Copy //

/ /2021
Sub Assistant Registrar(CS-)

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.

Encl.: Xerox copy of Compromise Memo

To

1. The Sub Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-2245[F] dated 27/01/2021)

MBI

TE : 12/02/2021 : 2P/4C

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