



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No.17897 of 2021 and

CRL.M.P.(MD)No.9768 of 2021

WEB COPY

1. Vijeyan
2. Perumal
3. Kandasamy
4. Kalidoss
5. Karthi
6. Siva
7. Karthik
8. Pounraj

... Petitioners / Accused

Vs.

1. The Deputy Superintendent of Police,
Tirumangalam Town police station,
Tirumangalam, Madurai.

2. The Inspector of Police,
Tirumangalam Town police station,
Tirumangalam, Madurai.

... Respondents /
Complainants

3. R.Gurusamy

... Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the entire records pertaining to the charge sheet in Spl.S.C.No.3 of 2021 pending on the file of the III Additional District Judge (PCR Court), Madurai and quash the same.

For Petitioners	: Mr.R.Ramasamy
For R-1 & R-2	: Mr.M.Sakthi Kumar, Government Advocate.
For R-3	: Mr.K.Dhurai Raj

O R D E R

This criminal original petition has been filed for quashing the proceedings in Spl.S.C.No.3 of 2021 on the file of the III Additional District and Sessions Court (PCR Court), Madurai.

2. The defacto complainant Mr.R.Gurusamy is present in person before this Court. He has been duly identified by Mr.B.Saravanan, HC-709, attached to Thirumangalam Town police station. The parties



have filed a memo of compromise. The defacto complainant does not wish to prosecute the matter further. The defacto complainant also affirms before this Court that he has not received any compensation from the Government.

3. Though the offences are not compoundable, no purpose will be served in keeping the impugned prosecution alive. The defacto complainant is bound to turn hostile and chances of conviction are rather bleak. Hence, to save judicial time and in the interest of justice, the impugned proceedings are quashed. This criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// 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:

(Enclosed herewith the Joint Compromise Memo)

1. The III Additional District Judge (PCR Court), Madurai.
2. The Deputy Superintendent of Police,
Tirumangalam Town police station,
Tirumangalam, Madurai.
3. The Inspector of Police,
Tirumangalam Town police station,
Tirumangalam, Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

**Cr1.O.P. (MD)No.17897 of 2021 and
CRL.M.P. (MD)No.9768 of 2021
22.11.2021**

AR (CO)

<https://hcservices.courts.go.in/12services/2P/5C>