



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.18371 of 2021

WEB COPY

1. Simiyon
2. Kumar
3. Kithiyon

... Petitioners / Accused

Vs.

1. The State rep. By,
The Sub Inspector of Police,
Thuckalay police station,
Kanyakumari District.
(Crime No.436 of 2019)

... 1st Respondent / Complainant

2. Mothilal

... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pursuant to the proceedings in C.C.No.135 of 2020 pending on the file of the learned Judicial Magistrate No.I, Padmanabhapuram and quash the same.

For Petitioner : Mr.S.R.Sathan Boopathy

For R-1 : Mr.A.Albert James,
Government Advocate.

For R-2 : Ms.M.Nandhini Priyadharshini

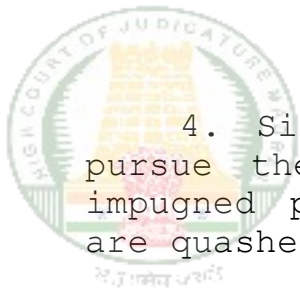
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O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the proceedings in C.C.No.135 of 2020 on the file of the Judicial Magistrate No.I, Padmanabhapuram.

3. The defacto complainant Mothilal is present in person before me. He has been duly identified by Ms.Maria Arputham, SSI-594 attached to the first respondent police station. The parties have filed a joint compromise memo. The defacto complainant states that he does not want to pursue the matter.



4. Since 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/-

WEB COPY

Assistant Registrar (CS-II)

// 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.1,
Padmanabhapuram.
- 2.The Sub Inspector of Police,
Thuckalay police station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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