



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.18634 of 2021

WEB COPY

1.Ajith Kumar
2.Mohan Raj
3.Jeyakumar

... Petitioners /
Accused Nos.1 to 3

vs.

1.The State rep. by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District,
(Crime No.383 of 2021)

... 1st Respondent/
Complainant

2.Jegan

... 2nd Respondent/
defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to FIR in Crime No.383 of 2021 on the file of the first respondent herein and quash the same.

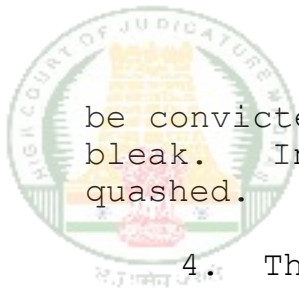
For Petitioner	: Mr.A.Kesavan
For R1	: Mr.M.Sakthikumar Government Advocate
For R2	: Mr.C.Anand

O R D E R

This Criminal Original Petition has been filed for quashing the FIR in Crime No.383 of 2021 registered on the file of the first respondent.

2.The defacto complainant Jegan is present in person before this Court. He has been duly identified by Thiru.M.Sudalai Hc 13799 attached to Koodankulam Police Station, Tirunelveli District. The parties have also filed a memo of compromise.

3. The learned Government Advocate (Crl.) informs the Court that two of the petitioners are having bad antecedents. According to him, this is not a case, in which, inherent powers of this Court deserve to be exercised. There is considerable substance in the contention raised by the learned Government Advocate. But I have to bear in mind that when the defacto complainant himself does not want to pursue the matter, no purpose will be served in keeping the prosecution alive. The case is now at the FIR stage. It has to be charge sheeted. Cognizance has to be taken. When the trial is taken up, if the defacto complainant turns hostile, the accused could not



be convicted. I am able to see that chances of conviction are rather bleak. In order to save judicial time, the impugned FIR stands quashed.

4. The Criminal Original Petition is allowed.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 Inspector of Police,
Koodankulam Police Station,
Tirunelveli District,
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD)No.18634 of 2021
26.11.2021

SJ(CO)

GC(04.12.2021) 2P 3C