



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.04.2021**

CORAM:

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

Crl.O.P. (MD)No.11969 of 2018

and

Crl.M.P(MD) Nos.5437 and 5438 of 2018

1.A.S.Febin Walter

2.Sylvia

3.Shyamala

... Petitioners/A6 to A8

Vs.

1.The State rep by

The Deputy Superintendant of Police,

District CBCID

Madurai.

(Crime No.4/2017)

2.Barakkath Nisha

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned final report in P.R.C.No.39/2018 on the file of the learned Judicial Magistrate No.IV, Madurai and quash the same as against these petitioners.

For Petitioners : Mr.Veera Kathiravan

Senior Counsel

For R-1

: Mr.R.Srinivasan

Government Advocate (Crl.side)

For R-2

: Mr.W.Pamelin

O R D E R

This petition has been filed seeking to quash the proceedings in P.R.C.No.39/2018 on the file of the learned Judicial Magistrate No.IV, Madurai and quash the same as against these petitioners.

2. The contention of the petitioners is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.4 of 2017 for the offences punishable under Sections 147, 465, 465 r/w 471, 370 r/w 120 (b) and 370 r/w 149 of Indian Penal Code. After filing the charge sheet, the case was taken on file in P.R.C.No.39/2018 by the learned Judicial Magistrate No.IV, Madurai.



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

4. The petitioners and the second respondent appeared through video conference 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.Suresh, Sub Inspector of Police, District CBCID, Madurai. 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 17.12.2020, this Court is of the opinion that no useful purpose would be served by keeping the matter pending.

6. In the result, the Criminal Original Petition stands allowed and the entire proceedings in P.R.C.No.39 of 2018, on the file of the learned Judicial Magistrate No.IV, Madurai, is hereby quashed in respect of the petitioners/accused Nos.6 to 8 and the terms of joint compromise memo shall form part of this order. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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.IV, Madurai.

2.The Deputy Superintendant of Police,
District CBCID, Madurai.



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

WEB COPY

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-17002[F] dated
22/04/2021)

+1 CC to M/s.W.PAMELIN, Advocate (SR-17107[F] dated 22/04/2021)

Crl.O.P.[MD]No.11969 of 2018
21.04.2021

NSM(CO)
TR(28.06.2021) 3P 6C