



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19350 of 2021

- 1.Santhanaraj
- 2.Srithar
- 3.Muthukumar
- 4.Shanmuga Mathivanan
- 5.Shanmugaprabhu
- 6.Athiban

... Petitioners/ Accused No 1 to 3 & 5 to 7

Vs.

- 1.The State rep. by
The Inspector of Police,
Ottapidaram Police Station,
Tuticorin District.
(Crime No.27 of 2019) ... 1st Respondent/ Complainant

- 2.Kalimuthu ... 2nd Respondent/ Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the charge sheet in C.C.No.94 of 2021 on the Judicial Magistrate, Vilathikulam, Thoothukudi District and quash the same as illegal in respect of the petitioners.

For Petitioners : Mr.P.Banuprasath
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1.
Mr.V.Malaiyendram for R2.

O R D E R

This criminal original petition has been filed for quashing the impugned proceedings in C.C.No.94 of 2021 on the file of the Judicial Magistrate, Vilathikulam, Thoothukudi District.

2.The defacto complainant/Kalimuthu is present before this Court in person. He has been duly identified by Mr.A.Balamurugan, HC2323, attached to first respondent police station. The parties have filed a memo of joint compromise. The defacto complainant categorically states before this Court that he does not want to pursue the complaint. When the parties have arrived at an amicable settlement and the defacto complainant does not want to pursue the



complaint, no purpose will be served in keeping the impugned prosecution alive. The impugned proceedings are quashed. The criminal original petition is allowed.

Sd/-

Assistant Registrar A.D.I)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Vilathikulam,
Thoothukudi District.
- 2.The Inspector of Police,
Ottapidaram Police Station,
Tuticorin District.
- 3.The Additional Public Prosecutore,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.BANUPRASATH, Advocate (SR-38200[F] dated 10/12/2021)

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RD(22.12.2021) 2P 5C