



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.19844 of 2021 and
CRL.M.P.(MD)No.11169 of 2021

Raja Sethupathi @ Ragavendra Raja

... Petitioner / Accused No.4
Vs.

1. The State rep. By,
The Inspector of Police,
Emaneswaram police station,
Ramanathapuram District.
(Crime No.280 of 2021) ... 1st Respondent / Complainant

2. Thiyagarajan ... 2nd Respondent /Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to Crime No.280 of 2021 dated 04.10.2021 on the file of the Inspector of Police, Emaneshwaram police station, Ramanathapuram District and quash the same in so far as the petitioner is concerned.

For Petitioner	: Mr.D.S.Haroon Rasheed
For R-1	: Mr.A.Albert James, Government Advocate.
For R-2	: Mr.K.Yasar Arafath

O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the First Information Report in Crime No.280 of 2021 registered on the file of the first respondent.

3. The defacto complainant Thiyagarajan is present in person before me. He has been duly identified by Ms.C.Tamizharasi, Head Constable, 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. Though this petition has been filed the fourth accused, the impugned First Information Report is quashed in toto. This criminal original petition is allowed. The benefit of



this order will enure in favour of the non-petitioning accused also. Consequently, consequently connected miscellaneous petition is closed.

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// True Copy //

Sd/-

Assistant Registrar (Crl.)

/ /2022

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:

Encl: (Joint Compromise Memo)

1. The Inspector of Police,
Emaneswaram police station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.YASAR ARAFATH, Advocate (SR-38672[F]dated 14/12/2021)

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NSN (CO)
AP (10.01.2022) 2P 4C