



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.20264 of 2021

P.Esakki Pandi @ Esakki ... Petitioner/Sole Accused

Vs.

1.The State represented by
The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
(Crime No.129 of 2016) ... Respondent / Complainant

2.M.Esakkimuthu ... Respondent / Defacto
Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records pertaining to the case in P.R.C.No.157 of 2019 pending on the file of the learned Judicial Magistrate No.III, Tirunelveli, Tirunelveli District and quash the same as far as the petitioner is concerned.

For Petitioner : Mr.R.L.Dhilipan Pandian
For Respondents : Mr.A.Albert James,
Govt. Advocate (Crl. Side) for R1.
Mr.N.Balasubramanian for R2

O R D E R

This criminal original petition has been filed for quashing the proceedings in P.R.C.No.157 of 2019 on the file of the Judicial Magistrate No.III, Tirunelveli.

2.The defacto complainant/Esakkimuthu is present before this Court in person. He has been duly identified by Mr.Ganthira Balan, HC 2062, 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 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 (AE)

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// True Copy //

/ /2022

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:

(ENCL : Copy of Joint Compromise Memo)

- 1.The Judicial Magistrate No.III,
Tirunelveli.
- 2.The Inspector of Police,
Seevalaperi Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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NSN (CO)
SB(11.01.2022) 2P 4C