



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.10.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD) No.14947 of 2017

and

Crl.M.P. (MD) No.9952 of 2017

1.Santhakumar

2.Ganesan

3.Kathavarayan ... Petitioners / Accused 1 to 3

Vs.

1.State Through

Sub-Inspector of Police,

Amathur Police Station,

Virudhunagar District. ... 1st Respondent/ Complainant

2.Saraswathi

... 2nd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for records relating to the proceedings in C.C.No.186 of 2016 on the file of the Judicial Magistrate Court No.II, Virudhunagar and quash the same as illegal

For Petitioners : Mr.M.Kannan

For R1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

For R2 : Mr.A.John Vincent

ORDER

This petition is filed seeking quashment of C.C.No.186 of 2016 on the file of the learned Judicial Magistrate No.II, Virudhunagar.

2.The contention of the petitioners is that based upon the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.125 of 2014 for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against the petitioners.

3.The further contention of the petitioners is that they



compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 2nd respondent and also by their respective counsels.

4.The petitioners and the 2nd respondent appeared through video conference from the Office of the learned Government Advocate (Crl.Side) before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (Crl.Side) and the Investigation Officer. Both the parties 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 04.10.2021, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.186 of 2016 pending on the file of the learned Judicial Magistrate No.II, Virudhunagar is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.186 of 2016, pending on the file of the learned Judicial Magistrate No.II, Virudhunagar is hereby quashed and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mm

Enclosed:- copy of the Joint Compromise Memo.

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,
Court No.II,
Virudhunagar.



2.The Sub Inspector of Police,
Amathur Police Station,
Virudhunagar District,
Virudhunagar.

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

+1 CC to M/s.M.KANNAN, Advocate (SR-31267[F] dated 05/10/2021)

CrI.O.P. (MD) No.14947 of 2017
04.10.2021

_RD(22.10.2021) 3P 5C