



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2022

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P.(MD)No.152 of 2022

WEB COPY

1. Shanmugam
2. Govindhan
3. Murugan @ Bala Murugan ... Petitioners /
Accused Nos.2,3& 4
Vs.
1. The State rep. By,
The Inspector of Police,
Abiramam police station,
Ramanathapuram District.
(Crime No.59 of 2001) ... 1st Respondent / Complainant
2. Bala Krishnan ... 2nd Respondent /
Defacto Complainant
3. Panjatcharam
4. Karuppaiah ... Respondents 3 & 4 /
Injured witnesses

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the entire records relating to the impugned charge sheet in S.C.No.34 of 2008 on the file of the learned Subordinate Judge, Mudukulathur and to quash the same in so far as the petitioners are concerned.

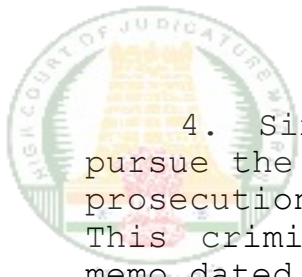
For Petitioner : Mr.M.S.Jeyakarthik
For R-1 : Mr.A.Albert James,
Government Advocate.
For R-2 to R-4 : Mr.M.Siva Ramakrishnan

O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the impugned proceedings.

3. The defacto complainant Mr.Bala Krishnan as well as the victims Mr.Panjatcharam and Mr.Karuppaiah are present before this Court through video conferencing. They have been duly identified by Mr.S.Nallamaruthu, HC-1884, attached to the first respondent police station and the same has been duly confirmed by Mr.A.Albert James, learned Government Advocate. The parties have filed a joint compromise memo. The defacto complainant as well as the victims state that they do 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. Therefore, the impugned proceedings are quashed. This criminal original petition is allowed. The joint compromise memo dated 27.11.2021 shall form part of the record.

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Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

Encl:- Photocopy of Joint Compromise Memo attached.

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 Subordinate Judge,
Mudukulathur.
2. The Inspector of Police,
Abiramam police station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-711[F] dated 07/01/2022)

Crl.O.P.(MD)No.152 of 2022
06.01.2022

MGJ(28.01.2022) 2P 5C