



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2558 of 2022
and
Crl.M.P(MD)No.1438 of 2022

1.Thavasipandi

2.Suresh

3.Ramachandran

4.Suresh

5.Koilraj

...Petitioners/
Accused Nos.1 to 5

Vs.

1.The State represented by
The Sub Inspector of Police,
Palavoor Police Station,
Tirunelveli District.
(Crime No.42 of 2012)

...1st Respondent/
Complainant

2.Senthil Kumar

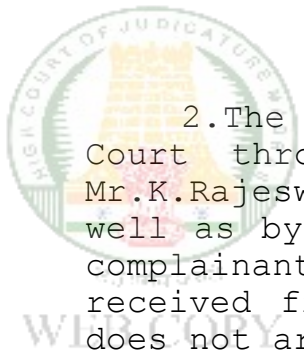
...2nd Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for records relating to the impugned charge sheet in S.C.No.84 of 2019 on the file of the Additional District Court No.II for PCR Act Cases, Tirunelveli in FIR in Crime No.42 of 2012 on the file of the first respondent herein and quash the same.

For Petitioners : Mr.K.Rajeshwaran
For R1 : Mr.T.Senthil Kumar
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to quash the impugned proceedings.



2.The defacto complainant/Senthil Kumar is present before this Court through video conferencing. He is duly identified by Mr.K.Rajeswaran, learned Counsel appearing for the petitioner as well as by Mr.Ragav, the learned Counsel appearing for the defacto complainant. It is categorically stated that no compensation was received from the Department. Therefore, the question for refund does not arise. The parties have filed a joint memo of compromise.

3.Since the defacto complainant does not want to pursue the matter, no purpose will be served keeping the prosecution alive. The impugned proceedings are quashed.

4.With the said observation, this Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Enclosed herewith 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 Sub Inspector of Police,
Palavoor Police Station,
Tirunelveli District.

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

+1 CC to M/s.K.RAJESHWARAN, Advocate (SR-4412[F] dated 07/02/2022)

Crl.O.P(MD)No.2558 of 2022
04.02.2022

RD(23.02.2022) 2P 4C