



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.1980 of 2022

1.Ramesh
2.Balasubramani @ Bala ... Petitioners/Accused No.1 to 2.
Vs.

1.The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
In Crime No.54/2020 ... 1st Respondent/Complainant

2.Sheik Dawood ... 2nd Respondent/
Defacto Complainant

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to quash the FIR in Crime No.54 of 2020 on the file of the first respondent police station and quash the same as illegal.

For Petitioners : Mr.S.Karthikeyan
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)
For R2 : M/s.V.Ariyanatchi

ORDER

This Criminal Original Petition has been filed for quashing the FIR in Crime No. 54 of 2020 registered on the file of the first respondent.

2.The de-facto complainant/Sheik Dawood is present before this Court through video conferencing. He has been duly identified by Mrs.N.Muniyammal, WHC 321, attached to the first respondent police station. The parties have filed a memo of joint compromise. The de-facto complainant categorically states before this Court that he does not want to pursue the complaint. Though this case also can be quashed, based on the compromise between the parties, it is submitted by the learned Government Advocate (Crl. side) that final report has already been filed closing the case as "Mistake of Fact". The Jurisdictional Magistrate is directed to accept the same.

3.When the parties have arrived at an amicable settlement and the de-facto complainant does not want to pursue the complaint, no



purpose will be served in keeping the impugned prosecution alive. The impugned FIR is quashed. This Criminal Original Petition is allowed. The memo of joint compromise will form part of the record.

Sd/-

Assistant Registrar (CRL)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

Encl: Photocopy of 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 Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P(MD)No.1980 of 2022
03.02.2022

MGJ(17.02.2022) 2P 3C