



Crl.O.P.(MD) No.2496 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD) No.2496 of 2021

- 1.Paul Berlin @ Paul Merlin,
- 2.Jessintha @ Margret Jessintha
- 3.Joshuva

: Petitioner

Vs

1. The Inspector of Police,
Lalgudi Police Station,
Lalgudi,
Trichy.
Crime No.33/2021.

- 2.Neelambal
- 3.S.Anbalagan
- 4.Nagajothi

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records relating the case in Crime No.33 of 2021 on the file of the 1st respondent herein and quash the same.



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For Petitioners : Mr.K.Muthurakkan
For R1 : Mr.M.Muthu Manikkam
Government Advocate (Crl.Side)
For R2 to R4 : Mr.N.Pragalathan

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the First Information Report in Crime No.33 of 2021 on the file of the first respondent police and quash the same as illegal.

2. When the matter is taken up for hearing today, the learned counsel appearing for the petitioners would submit that the second respondent has lodged a complaint about the incident alleged to have occurred on 01.01.2021 against the petitioners and that FIR came to be registered in Crime No.33 of 2021, for the offences under Sections 294(b), 323, 427 and 506(2) IPC on the file of the first respondent Police. Further, he would submit that after filing this petition, the defacto complainant/Neelambal died. He has also produced a copy of the death certificate of the second respondent/defacto complainant.



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3. The learned Government Advocate (Criminal Side) appearing for the first respondent would submit that investigation is pending.

4. Meanwhile, the parties have decided to bury the hatchet and compromised their dispute among themselves amicably. In pursuance of the said compromise, they have filed a joint compromise memo.

5. The petitioners as well as the third and fourth respondents are present before this Court and they are identified by their counsel as well as by the first respondent Police. On enquiry, before this Court both parties have accepted the compromise between them and filing of joint compromise memo. Hence, the compromise memo is recorded.

6. Considering the facts and circumstances of the case and also the nature of the charges levelled against the petitioners and also taking note of the fact that the parties have entered into compromise and filed joint compromise memo and recording of the same, this Court is of the view that no useful purpose would be served in keeping the case pending.



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7. In the result, this Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.33 of 2021, on the file of the first respondent police, is quashed.

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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
lr

To

1. The Inspector of Police,
Lalgudi Police Station,
Lalgudi,
Trichy.

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



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K.MURALI SHANKAR, J.

lr

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