

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.09.2022

CORAM

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P(MD)No.16687 of 2022

1.Rajavel @ Rajavel Pandian

2.Lingam @ Lingasamy

... Petitioners

Vs.

1.State rep. by
The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2.The Inspector of Police,
Kallikudi Police Station,
Madurai District.

3.Dharmalingam @ Raja Dharmalingam

4.Latha

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to Crime No.123 of 2022 dated 25.08.2022 on the file of the second respondent police and to quash the same.

For Petitioners : Mr.S.Sathya Chidambaram
For Respondents : Mr.B.Nambi Selvan
Additional Public Prosecutor
for R1 to R2
Mr.N.Saravanan for R3 and R4

ORDER

This petition has been filed to quash the Crime No.123 of 2022 on the file of the Inspector of Police, Kallikudi Police Station, Madurai District.

2.The contention of the petitioners and the second respondent is that based on the complaint lodged by the third respondent, the second respondent registered First Information Report in 123 of 2022 for the offences punishable under Sections 294(b), 323 of IPC, Section 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, against the petitioners.

3.The further contention of the petitioners is that they compromised the issue with the third respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the third respondent and also by their respective counsels.

4.The petitioners and the third respondent appeared before this Court along with their counsels and also produced their Aadhar cards. In the First Information Report, the defacto complainant name is mentioned as Dharmalingam instead of Raja Dharmalingam and there is no identity issue and the same was verified through his Adhar Card. They were also identified by the learned Government Advocate (Criminal side). 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 15.09.2022, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.123 of 2022, pending on the file of the Inspector of Police, Kallikudi Police Station, Madurai District, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.123 of 2022, pending on the file of the

Inspector of Police, Kallikudi Police Station, Madurai District, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

29.09.2022

Index:Yes/No
Internet:Yes/No
tta

Note:(i) 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:

The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.

2.The Inspector of Police,
Kallikudi Police Station,
Madurai District.

Crl.O.P(MD)No.16687 of 2022

G.ILANGO VAN, J.

tta

Crl.O.P(MD)No.16687 of 2022

29.09.2021