



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.03.2022

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.20043 of 2018

and

Crl.MP(MD)Nos.9218 & 9219 of 2018

K.Sivanpillai

... Petitioner/Accused/Accused

Vs.

1.The State of Tamil Nadu
represented by
The Sub Inspector of Police,
Anjugrammam Police Station,
Kanyakumari District. ...
Respondent/Complainant/Complainant

2.Subash Chandran

... Respondent/Informant/Informant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records relating to the criminal Proceedings pending in C.C.No.1 of 2018 on the file of the learned Judicial Magistrate III, Nagercoil, and quash the same.

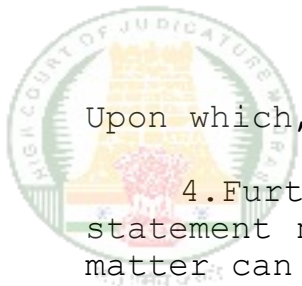
For Petitioner	:	Mr.N.Dilip Kumar
For R1	:	Mr.B.Nambi Selvan, Additional Public Prosecutor
For R2	:	Mr.P.T.Ramesh Raja

O R D E R

This petition is filed seeking quashment of Proceedings pending in C.C.No.1 of 2018 on the file of the learned Judicial Magistrate III, Nagercoil.

2.The petitioner was heard on 21.02.2022. For argument on the side of the learned counsel for the second respondent, the matter was listed today.

3.When the matter is taken up for hearing today, the learned counsel for the second respondent would submit that at the time of alleged occurrence, he has given a complaint by making allegation against the petitioner that he has abused him in filthy language and criminally intimidated him by showing knife. Now, due to change of circumstance, some sort of agreement reached between the parties.



Upon which, now, he is not willing to prosecute the case.

4.Further, he made a request before this Court that his statement may be recorded and placed on record. On that basis, the matter can be disposed of.

5.It is seen that the second respondent is not willing to prosecute the case, the petitioner is aged about 73, compromise has been reached between the parties and counter complaint that has been registered in Crime No.10 of 2014 was also closed as 'mistake of fact'.

6.In view of the above said development, further prosecution is not required and accordingly, proceedings in C.C.No.1 of 2018 on the file of the learned Judicial Magistrate III, Nagercoil, is quashed and the Criminal Original Petition is allowed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Deputy Registrar (A/C's)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dss

To

- 1.The Judicial Magistrate III,
Nagercoil,
2. The Sub Inspector of Police,
Anjugrammam Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-9611[F] dated 02/03/2022)

CrI.O.P. (MD)No.20043 of 2018

and

CrI.MP (MD)Nos.9218 & 9219 of 2018

01.03.2022

SB (CO)

KB(18.03.2022) 2P 5C