



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.20159 of 2021

WEB COPY

A.Kannan

... Petitioner / Accused No.1

Vs.

1. The Inspector of Police,
Vellichanthai police station,
Kanyakumari District.
(Crime No.107 of 2018)

... 1st Respondent / Complainant

2. T.Jenish

... 2nd Respondent /
Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings in P.R.C.No.39 of 2020 on the file of the learned Judicial Magistrate Court, Eraniel and quash the same as it has no *prima facie* case as against the petitioners.

For Petitioner : Mr.H.Velavadhas

For R-1 : Mr.A.Albert James,
Government Advocate.

* * *

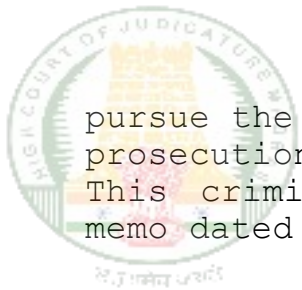
O R D E R

Heard the learned counsel on either side.

2. This criminal original petition has been filed for quashing the impugned proceedings.

3. The defacto complainant Mr.T.Jenish is present in person before this Court through video conferencing. He has been duly identified by the police personnel attached to the first respondent police station and the same has been duly confirmed by Mr.A.Albert James, learned Government Advocate. The parties have filed a joint compromise memo. The defacto complainant states that he does not want to pursue the matter.

4. Since the defacto complainant himself does not want to



pursue the matter, no purpose will be served in keeping the impugned prosecution alive. Therefore, the impugned proceedings are quashed. This criminal original petition is allowed. The joint compromise memo dated 22.12.2021 shall form part of the record.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

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 Judicial Magistrate,
Eraniel.
2. The Inspector of Police,
Vellichanthai police station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.H.VELAVADHAS, Advocate (SR-81[F] dated 04/01/2022)

CrI.O.P.(MD)No.20159 of 2021
03.01.2022

_RD(10.01.2022) 2P 5C