



Crl.O.P.(MD)No.20446 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.11.2022

CORAM:

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

Crl.O.P.(MD) No.20446 of 2022

Antro Lio @ Anto Libo Jose

... Petitioner/Accused No.14

Vs.

1.The State rep. by its
Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

... 1st Respondent/Complainant

2.Mariya Arputham

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records of the case in S.C.No.515 of 2021 pending on the file of Chief Judicial Magistrate, Tiurnelveli and quash the same as for as this Petitioner is concern.

For Petitioner : Mr.S.Sarvagan Prabhu

For R1 : Mr.S.Sivakumar
Government Advocate (Crl. Side)

For R2 : Mr.E.Jayakumar

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in S.C.No.515 of 2021 on the file of the learned Chief



Judicial Magistrate, Tirunelveli.

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2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.737 of 2012, for the offences punishable under Sections 147, 342, 324, 323, 294(b), 379, 307 IPC & Section 3(1) of TNPPDL ACT, against the accused persons. The learned counsel for the petitioner submitted that the parent case in S.C.No.204 of 2020 has ended in acquittal, since all the witnesses turned hostile. So far as this petitioner is concerned, the case was split up as S.C.No.515 of 2021, since he was in Canada at the time.

3.The further contention of the petitioner is that they compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the 2nd respondent and also by their respective counsels.

4.The petitioner and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (Crl. Side) and the Investigation Officer. Both the parties were enquired by me and they



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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 petitioner and also in view of the joint compromise memo, dated 17.11.2022, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in S.C.No.515 of 2021 pending on the file of the learned Chief Judicial Magistrate, Tirunelveli, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.C.No.515 of 2021, pending on the file of the learned Chief Judicial Magistrate, Tirunelveli, is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order.

18.11.2022

Index : Yes/No
Internet : Yes/No
TM

To

1.The Chief Judicial Magistrate, Tirunelveli.



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2.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

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



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G.ILANGOVAN. J.

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