



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2022

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.19508 of 2019

and

CrI.MP(MD)Nos.11455 & 11456 of 2019

WEB COPY

V.Mohan ... Petitioner/Sole Accused
Vs.
L.Nesa Maruthu Pandian ... Respondent/Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the entire records pertaining to the case in P.R.C.No.1 of 2018 on the file of the learned Judicial Magistrate No.I, Sivagangai, Sivagangai District, and quash the same as against the petitioner.

For Petitioner : Mr.R.Anand
For Respondent : Mr.P.Gunasekaran

O R D E R

This petition is filed seeking quashment of Proceedings in P.R.C.No.1 of 2018 on the file of the learned Judicial Magistrate No.I, Sivagangai, Sivagangai District.

2.The case of the prosecution is that the petitioner the Inspector of Police, Sivagangai Town Police Station, Sivagangai District. The respondent is an Advocate. On 15.10.2017, at about 10.30 p.m, the petitioner by using his official power, threatened the mother of the respondent and took his Car bearing Registration No.TN-58-AB-1076 through his men. When the same was questioned by the respondent, he threatened the petitioner at pistol point and also caused damage to the car worth about Rs.5,000/-. Further, he registered two false criminal cases as against the respondent. Hence, the respondent filed a private complaint before the learned Judicial Magistrate No.I, Sivagangai, and the same was taken on cognizance in P.R.C.No.1 of 2018. Hence, this petition.

3.When the matter is taken up for hearing, the defacto complainant is appeared through video conference and the petitioner is also present in person before this Court.

4.The learned counsel for the petitioner would submit that compromise has been reached between the parties and one has sustained injury in the above said occurrence.

5.A joint compromise memo dated 16.02.2022 has been filed by the parties, by which, they came to an amicable settlement as

<https://hcservices.ecourts.gov.in/hcservices/>



follows:-

"....."

2.The petitioner and the respondent jointly submit that as the relationship of the petitioner and the respondent is intended to be maintained in good terms with close cordiality, the elders and well-wishers have talked with them and had meeting in which both of them have joined. Finally, they have decided to eschew their different of opinion existed between them. The decision of the settlement has made the respondents to say that he does not have any objection for the quashing of his private complaint.

3.The petitioner and the respondent jointly submit that absolutely there is no outer force involved in their decision with regard to the amicable settlement. As both of them are happened to be the persons interested in serving the society by being a professionals and respectively public servant, they thought that purchase of peace alone would make them happy and to have a free minded action in so far as their profession serving is concerned and as such the present steps without there being influence, but in their own volition had been given effect."

6.In view of the compromise entered into between the petitioner and the respondent, they did not insist the allegation against each other. Accordingly, the proceedings in P.R.C.No.1 of 2018 on the file of the learned Judicial Magistrate No.I, Sivagangai, Sivagangai District, is set aside and this Criminal Original Petition is allowed in terms of the joint compromise memo dated 16.02.2022. The joint compromise memo dated 16.02.2022 shall form part of the record. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dss

To

The Judicial Magistrate No.I, Sivagangai,
Sivagangai District.

Crl.O.P. (MD)No.19508 of 2019

and

Crl.MP (MD)Nos.11455 & 11456 of 2019

01.03.2022

NSN (CO)

https://hscs.ecourts.gov.in/cases/2P_2C