

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.03.2023**

CORAM:

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

Crl.O.P.(MD) No.1770 of 2023
and
Crl.M.P.(MD) No. 1578 and 1579 of 2023

Vairavapandi

... Petitioner/ Accused No.2

Vs.

1.The State Represented by

Sub-Inspector of Police,,
Virudhunagar Rural Police Station,
Virudhunagar District.

In Crime No.47 of 2022 ... Respondent No.1/Complainant

2.Kannan

... Respondent No.2/De-fact Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in the case in C.C. No.01 of 2023 on the file of Judicial Magistrate Court No.II, Virudhunagar and quash the same as illegal, violation of law as against the Petitioner/Accused No.2.

For Petitioners : Mr.Jothi Basu.M

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

For R2 : Mr.Vijayakumar.S

ORDER

This Criminal Original Petition has been filed seeking to call for the records in the case in C.C. No.01 of 2023 on the file of Judicial Magistrate Court No.II, Virudhunagar, and quash the same as illegal.

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.47 of 2022 for the offences punishable under Sections 147, 294(b), 323, 324, & 506(ii) IPC, against the petitioner. It appears that it is a dispute between the parties.

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 Additional Public Prosecutor and the Investigation Officer. 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 petitioner and also in view of the joint compromise memo, dated 06.03.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.01 of 2023 pending on the file of the learned Judicial Magistrate No.II, Virudhunagar, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.01 of 2022, pending on the file of the learned Judicial Magistrate No.II, Virudhunagar is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, the connected Miscellaneous Petitions are closed.

21.03.2023

NCC: Yes/No
Index : Yes/No
Internet : Yes/No
Indu

G.ILANGO VAN. J.

Indu

To

- 1.The Judicial Magistrate No.II, Virudhunagar.
2. The Sub-Inspector of Police,,
Virudhunagar Rural Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor ,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.1770 of 2023

21.03.2023