



Crl.O.P.(MD)No.6281 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.04.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.6281 of 2023

1.Kornelias Raja @ Gornelius Raja

2.Sahaya George Nithij @ Sahaya George Nigith

... Petitioners/ Accused 2 & 3

Vs.

1.The State Represented through,
The Inspector of Police,
Kanniyakumari Police Station,
Kanniyakumari,
Kanniyakumari District.
(Crime No.178 of 2021)

... 1st Respondent/Complainant

2. Kevin Joe

...2nd Respondent / De-facto
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the impugned charge sheet in C.C.No.784 of 2022 on the file of the Learned Judicial Magistrate Court No.1, Nagercoil, Kanniyakumari District, insofar as petitioners concerned and quash the same.



WEB COPY



Crl.O.P.(MD)No.6281 of 2023

For Petitioners : Mr.G.Aravinthan
For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor
For R2 : Mr.K.Sivabalan

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.784 of 2022 on the file of the Judicial Magistrate Court No.1, Nagercoil, Kanniyakumari District.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.178 of 2021 for the offences punishable under Sections 294(b), 324 & 506(ii) IPC, against the petitioners. It appears that it is a petty issue between the parties and now the defacto complainant decided to compromise with the petitioners.

3.The further contention of the petitioners 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 petitioners



Crl.O.P.(MD)No.6281 of 2023

and the 2nd respondent and also by their respective counsels.

WEB COPY

4.The petitioners 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 petitioners and also in view of the joint compromise memo, dated 05.04.2023, 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.784 of 2022 pending on the file of the learned Judicial Magistrate No.I, Nagercoil, 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.784 of 2022, pending on the file of the



Crl.O.P.(MD)No.6281 of 2023

learned Judicial Magistrate No.I, Nagercoil, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

05.04.2023

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

Indu

To

- 1.The learned Judicial Magistrate No.I,
Nagercoil.
- 2.The Inspector of Police,
Kanniyakumari Police Station,
Kanniyakumari,
Kanniyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.6281 of 2023

G.ILANGO VAN,J.

Indu

Order made in
CrI.O.P.(MD)No.6281 of 2023

Dated: 05.04.2023