



WEB COPY



Crl.O.P.(MD).No.10992 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.10992 of 2023

and

Crl.M.P.(MD) No.8747 of 2023

Vijay @ George Vijay

.. Petitioner/Accused

Vs.

1.State rep. by

The Inspector of Police,
Koodankulan Police Station,
Tirunelveli District.
(Crime No.60/2019)

... 1stRespondent/Complainant

2.Sahayaraj Dildan

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the case in S.C.No.376 of 2023 on the file of Principal District Judge, Tirunelveli and quash the same.

For Petitioner : Mr.Maurya.L.P.

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

Mr.M.Dinesh for R2



Crl.O.P.(MD).No.10992 of 2023

ORDER

WEB COPY

This Criminal Original Petition has been filed seeking to quash the charge sheet in S.C.No.376 of 2023 on the file of the learned Principal District Judge, Tirunelveli.

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.60 of 2019 for the offences punishable under Sections 366(A), against the petitioner.

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



Crl.O.P.(MD).No.10992 of 2023

accepted the terms of compromise. Even though the case has been registered under Section 366(A) of IPC, now the defacto complainant is major and stated that she was taken by the accused person around Koodankulam area. The defacto complainant's father is also present before this Court and stated that no untoward incident has taken place between the defacto complainant and the accused person. Now the accused is getting job and for that purpose they are entered into compromise.

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, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash all further proceedings in S.C.No.376 of 2023 pending on the file of the learned Principal District Judge, Tirunelveli, in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.C.No.376 of 2023, pending on the file of the learned Principal District Judge, Tirunelveli, is hereby quashed in respect



Crl.O.P.(MD).No.10992 of 2023

of the petitioner alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petition is closed.

26.06.2023

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

To

- 1.State rep. by
The Inspector of Police,
Koodankulan Police Station,
Tirunelveli District.
(Crime No.60/2019)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD).No.10992 of 2023

G.ILANGO VAN,J.

TM

Crl.O.P.(MD).No.10992 of 2023
and
Crl.M.P.(MD).No.8747 of 2023

26.06.2023