



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2023

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CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Cr1.O.P. (MD) No.11539 of 2023

1.Gobi Kumar
2.Sundar
3.Kombiah
4.Dorai Arasu
5.Nainar
6.Periadurai
7.Mayandi @ Kumar
8.Francis
9.Durai @ Kanthasamy : Petitioners/A1 to A4,
A6 to A9 and A11

Vs.

1.The State rep. by
The Deputy Superintendent of Police,
Nanguneri Sub-Division,
Tirunelveli District,
(Crime No.148 of 2009) : R1/Complainant

2.The Inspector of Police,
Moolaikaraipatti Police Station,
Tirunelveli district. : R1 and R2/Complainants

3.Petchiammal : R3/De-facto Complainant



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PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the charge sheet in SC No.62 of 2019 on the file of the II Additional District and Sessions Court, (PCR), Tirunelveli and quash the same in so far as the petitioners are concerned and pass such further or other orders.

For Petitioners : Mr.P.Rajesh
For R1 and R2 : Mr.S.Manikandan
Government Advocate
(Criminal side)
For 3rd Respondent : Mr.S.Vishnuvardhan

O R D E R

This petition has been filed seeking to quash the case in SC No.62 of 2019 on the file of the II Additional District and Sessions Court (PCR), Tirunelveli.

2.The contention of the petitioners is that based on the complaint lodged by the 3rd respondent, the 2nd respondent registered the First Information Report in Crime No.148 of 2009 for the offence punishable under Sections 147, 148, 294(b), 447, 427, 506(ii) IPC and section 4 of the TNPPPD Act and section 4 of the Tamil Nadu Prevention of Harassment Act r/w section 3(1)(x) of SC/ST (POA) Act, 1989 as against the petitioners. After



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that, charge sheet was filed and it was taken cognizance in SC No.62 of 2019 by the II Additional District and Sessions Court (PCR), Tirunelveli.

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

4.On 27/06/2026, when the matter is taken up for hearing, the petitioners and the 3rd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (Criminal side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise and the Compromise Memo was also recorded. At that time, the learned Government Advocate (Criminal side) was required to verify as to whether any compensation has been received by the de-facto complainant. On that account, the matter was reserved for orders.



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5.Today, the learned Government Advocate (Criminal side) would submit that no compensation was received by the de-facto complainant and a report is also filed to the effect.

6.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners 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 SC No.62 of 2019 pending on the file of the II Additional District and Sessions Court (PCR), Tirunelveli, in respect of the petitioners.

7.In the result, the Criminal Original Petition stands allowed and the case in SC No.62 of 2019 on the file of the II Additional District and Sessions Court (PCR), Tirunelveli is hereby quashed as against the petitioners. The terms of joint compromise memo shall form part of this order.

13.07.2023

Index : Yes/No
Internet : Yes/No
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To,

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1. The II Additional District & Sessions Judge,
(PCR), Tirunelveli.
2. The Deputy Superintendent of Police,
Nanguneri Sub-Division,
Tirunelveli District.
3. The Inspector of Police,
Moolaikaraipatti Police Station,
Tirunelveli district.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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