



Crl.O.P.(MD) No.17926 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.17926 of 2023

G.Subhastin @ Sundaram

...Petitioner / 1st Accused

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

...1st Respondent

2.The Inspector of Police,
Panakudi Police Station,
Tirunelveli District & another.
(In Crime No.297 of 2018)

...2nd Respondent / Complainant

3.E.Sudalaimani

...3rd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to C.C. No.97 of 2021 on the file of the Learned Judicial Magistrate, Valliyoor in connection with the Crime No.297 of 2018 of 2nd Respondent Police and quash the same as illegal as against the Petitioner / 1st Accused.



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For Petitioner :Mr.K.K.Samy

For Respondent :Mr.Vaikkam Karunanithi for R1 & R2
Government Advocate (Crl. Side)

:Mr.T.Muthu Krishnan for R3

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.97 of 2021 on the file of the learned Judicial Magistrate, Valliyoor, Tirunelveli District.

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.297 of 2018 for the offences punishable under Sections 294(b), 323, 324, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, 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.



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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 Government Advocate (Crl. side) 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, 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 C.C.No.97 of 2021 pending on the file of the learned Judicial Magistrate, Valliyoor, Tirunelveli District in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.97 of 2021, pending on the file of the learned Judicial Magistrate, Valliyoor, Tirunelveli District is hereby quashed in respect of the petitioner alone. The compromise memo is recorded and the terms of joint



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compromise memo shall form part of this order.

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

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TM

To

- 1.The Judicial Magistrate, Valliyoor, Tirunelveli District.
- 2.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 3.The Inspector of Police,
Panakudi Police Station,
Tirunelveli District & another.
(In Crime No.297 of 2018)
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

TM

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