



CrI.O.P.(MD)No.22375 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11/12/2023

CORAM:

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

CrI.O.P.(MD) No.22375 of 2023

Benniyameen @ Penyameen : Petitioner/Sole Accused

Vs.

1.State of Tamil Nadu

Rep. by the Inspector of Police,

Keeraparai Police Station,

Kanyakumari District.

(Crime No.28 of 2017)

: R1/Complainant

2.Reegan

: R2/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to quash the impugned criminal proceedings in SC No.214 of 2023, u/s 294(b), 341, 307 IPC on the file of the II Additional Sub Judge, Nagercoil in FIR in Crime No.28 of 2017 registered u/s.341, 294(b), 323, 324, 307, 506(ii) IPC @ 294(b), 341, 307 IPC, on the file of the 1st respondent police and pass such further or other orders.

For Petitioner : Mr.P.M.Vishnu Varathan

For 1st Respondent : Mr.M.Sakthi Kumar
Government Advocate
(Criminal side)

For 2nd Respondent : M/s.P.Selva Kamatchi



ORDER

WEB COPY

This petition has been filed seeking quashment of the entire proceedings in SC No.214 of 2023 on the file of the II Additional Sub Judge, Nagercoil, in respect of Crime No.28 of 2017 on the file of the Inspector of Police, Keeraparai Police Station, Kanyakumari 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.28 of 2017 for the offences punishable under Sections 294(b), 341 and 307 of IPC and it was taken cognizance in SC No.214 of 2023 by the II Additional Sub Judge, Nagercoil.

3.The further contention of the petitioner is that he 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.It is seen that in this case, the trial has commenced and now, it is posted for the examination of the Investigating Officer. At that time, compromise was reached between the petitioner and the de-facto complainant, who is the second respondent herein.



WEB COPY

5. Even though the offence under section 307 of IPC is mentioned, the victim is present before this court and stated that she has only suffered simple injuries and now, they have resolved the issues between themselves and no previous or subsequent motive also exists.

6. 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 (Criminal 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.

7. 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 08/12/2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash entire proceedings in SC No.214 of 2023 pending on the file of the II Additional Sub Judge, Nagercoil, against the petitioner.

8. In the result, the Criminal Original Petition stands allowed and the entire proceedings in SC No.214 of 2023 on the file of the II



Crl.O.P.(MD)No.22375 of 2023

Additional Sub Judge, Nagercoil, is hereby quashed against the petitioner. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

11.12.2023

Index : Yes/No
Internet : Yes/No
er

To

- 1.The II Additional Sub Judge,
Nagercoil.
- 2.The Inspector of Police,
Keeraparai Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.22375 of 2023

G.ILANGOVAN. J.

er

Crl.O.P.(MD)No.22375 of 2023

11.12.2023