



CrI.O.P.(MD)No.22024 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.22024 of 2022

1.Muthukumar

2.Shanmugam

... Petitioners/ Accused Nos.2&4

Vs.

1. The Inspector of Police,
Bootha Pandu Police Station,
Kanyakumari District.
(Crime No.328 of 2016)

... 1st Respondent / Complainant

2.Manikandan

... 2nd Respondent/ Defacto complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the charge sheet in S.C.No.208 of 2018, on the file of the Principal District and Sessions Court, Nagercoil, Kanyakumari District and to quash the same against the above petitioners.

For Petitioners : Mr.S.R.Anbarasu

For R1 : Mr. S. Manikandan
Government Advocate (CrI Side)

For R2 : Mr.V.Angusamy



Crl.O.P.(MD)No.22024 of 2022

ORDER

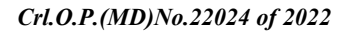
WEB COPY

This Criminal Original Petition has been filed seeking to quash the charge sheet in S.C.No.208 of 2018, on the file of the Principal District and Sessions Court, Nagercoil, 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.328 of 2016 for the offences punishable under Sections 294(b), 323, 324, 506(ii) and 307 of I.P.C. r/w. Section 34 of I.P.C. against 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 petitioner and the 2nd respondent and also by their respective counsels. The further contention of the petitioners is that in Crl.O.P.(MD)No.4464 of 2022 was filed by the accused Nos.1 and 3 and compromised and that was allowed by order dated 14.03.2022.

4. The petitioners and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They



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 01.12.2022, 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.208 of 2018, on the file of the Principal District and Sessions Court, Nagercoil, Kanyakumari District, in respect of the petitioners.

6. In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.C.No.208 of 2018, on the file of the Principal District and Sessions Court, Nagercoil, Kanyakumari District, is hereby quashed in respect of the petitioner alone. The joint compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

Index : Yes/No
Internet: Yes/No
Ls



WEB COPY



Crl.O.P.(MD)No.22024 of 2022

G.ILANGO VAN, J.,

Ls

To

- 1.The Principal District and Sessions Judge,
Nagercoil, Kanyakumari Distirct.
- 2.The Inspector of Police,
Bootha Pandy Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.22024 of 2022

12.06.2023