



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **06.12.2023**

CORAM:

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

Crl.O.P.(MD) No.20521 of 2023

1.Sivanesan

2.Sivasankar

... Petitioners/Accused Nos.
1 and 2

Vs.

1. The State rep by
The Sub Inspector of Police,
Kottar Police Station,
Kanyakumari District.
(Crime No.349/2018)

...1st Respondent/Complainant

Deviga

...Defacto Complainant (died)

2.Satheesh @ Aji

...2nd Respondent/Son of
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in C.C.No.459 of 2018 on the file of the Additional Mahila Court (Magisterial Level), Nagercoil, Kanyakumari District and quash the same as agasint the petitioner.

For Petitioners : Mr.A.Mohan

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

For R2 : Mrs.R.Jenifar Bibin



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.459 of 2018 on the file of the Additional Mahila Court (Magisterial Level), 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.349 of 2018 for the offences punishable under Sections 294(b), 354 & 506(ii) IPC, against the petitioners. The defacto complainant is reported to be dead.

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 petitioners and the 2nd respondent and also by their respective counsels.

4.The petitioners 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.

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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 04.12.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.459 of 2018 pending on the file of the Additional Mahila Court (Magisterial Level), Nagercoil, Kanyakumari District, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.459 of 2018, pending on the file of the Additional Mahila Court (Magisterial Level), Nagercoil, Kanyakumari District is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

06.12.2023

Index : Yes/No
Internet : Yes/No
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To

1. The Additional Mahila Court (Magisterial Level),
Nagercoil, Kanyakumari District.
2. The Sub Inspector of Police,
Kottar Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN. J.

Indu

CrI.O.P.(MD) No.20521 of 2023

06.12.2023