



CRL OP NO. 30823 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 30823 of 2022

AND

CRL MP NO. 18860 OF 2022

K.Sakthivel

Petitioner(s)

Vs

1.State Rep by,

The Inspector Of Police

District Crime Branch, Salem District.

2.B.Sivakumar

Respondent(s)

For Petitioner(s): A.S.Neela Narayani

For Respondent(s):

S.Santhosh For R1

Mr.V.Selvaraj For R2

ORDER

Both the parties appeared before this Court and submitted that the matter has been settled between themselves and to that effect, they have filed a Joint Memo of Compromise and the same is extracted hereinunder:

JOINT MEMO OF COMPROMISE

1. The Petitioner submits that the first Respondent police had Registered the above case in Crime No.02 of 2020 as against the petitioner on 10.01.2020 for the alleged offence under Sections, 120(B), 420 and 506(i) IPC on the basis of a false complaint given by the 2nd Respondent herein on the same day ie. on 10.01.2020, for the occurrence said to have taken place in the year 2011 and subsequently a final Report was filed by the first Respondent police, after completing the investigation in the above case as against the petitioner herein and the 2nd accused in this case by name Bagyalakshmi on 04.08.2022 before the learned Judicial Magistrate No.VI, Salem, Salem



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District and the same was taken on file by the learned Magistrate No.VI, Salem, Salem District and the same is pending on his file.

2. The Petitioner further submits that subsequently he has filed a Petition for Quash before this Hon'ble court to quash the proceedings pending against him in C.C.No. 837 of 2022 on the file of the learned Judicial Magistrate No.VI Salem, Salem District and the same is pending on the file of this Hon'ble Court in Crl.O.P. No. 30823 of 2022.

3. The Petitioner further submits that he along with the 2nd Respondent/Defacto complainant in the above case entered into a Joint Memo of Compromise in respect of the above case.

4 The Petitioner submits that the Defacto complainant said to have given a complaint hurriedly without thinking in spur of movement and after realizing his own mistake, he has now come forward to settle the issue between the Petitioner herein and the 2nd Respondent herein and both the parties herein are also ready to enter into a Memo of Compromise in the interest of both parties.

5. The Petitioner submits that the 2nd respondent herein agreed to settle the issue amicably between the 2nd Respondent/Defacto complainant in this case and the Petitioner herein and therefore in the interest of justice, the proceedings pending against him in the above case C.C.No.837 of 2022 on the file of the learned Judicial Magistrate No.VI, Salem, Salem District may be quashed for the above said reasons.

6. The Petitioner submits that the Petitioner herein and the Defacto complainant herein have compromised the matter and the 2nd respondent herein had agreed to withdraw the above case in C.C.No.837 of 2022 on the file of the learned Judicial Magistrate No.VI, Salem, Salem District against the petitioner herein and also against the accused A2 Bagyalakshmi. Both the Petitioner herein and the 2nd Respondent herein are entering into a JOINT MEMO OF COMPROMISE, out of the free will, consent voluntarily that there is no threat and coercion, undue influence and duress and both parties herein agree that they shall be bound by the Joint Memo and the orders passed by this Hon'ble court in terms of this Joint Memo of Compromise.



It is therefore prayed that this Hon'ble court may be pleased to record this Joint Memo of Compromise and dispose of the above CrI.O.P.30823 of 2022 for quashing to quash the proceedings in C.C.No. 837 of 2022 on the file of the learned Judicial Magistrate No.VI, Salem, Salem District and pass such further or other orders as this Hon'ble court may deem fit and proper and thus render justice."

2. Recording the said Joint Memo of Compromise, the Criminal Original Petition is disposed of. Consequently, the proceedings in C.C.No.837 of 2022, on the file of the learned Judicial Magistrate No.VI, Salem, Salem District, is quashed. No costs. Consequently, connected Miscellaneous Petition is closed.

12-12-2024

Index : Yes / No
NCC : Yes / No
jd

To
The Inspector Of Police,
District Crime Branch,
Salem, Salem District.



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A.D.JAGADISH CHANDIRA,J
jd

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