



Cont.P(MD).No.26 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2024

CORAM :

THE HON'BLE MR JUSTICE A.A.NAKKIRAN

CrI.O.P(MD).No. 26 of 2021

1.Manojkumar
2.Deani @ Daniel Brito

... Petitioners

Vs.

1.State rep. by
the Inspector of Police,
Palaymkottai Police Station,
Tirunelveli City.
(Crime No. 282 of 2018)

2.Sathiya Antony
3.C.Muthusamy

... Respondents

PRAYER:- Petition filed under Section 482 Cr.P.C., to call for the records in PRC.No.41 of 2018 on the file of the learned Chief Judicial Magistrate, Tirunelveli and consequently, accept the compromise arrived at between the accused and the defacto complainant to compound the case and quash the same.

For Petitioner : Mr.N.Mohaideen Basha

For Respondent No.1 : Mr.R.M.Anbunithi

Additional Public Prosecutor

For respondents 2 and 3 : Mr.Mohammed Hasim



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ORDER

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This petition has been filed to call for the records in PRC.No.41 of 2018 on the file of the learned Chief Judicial Magistrate, Tirunelveli and quash the same.

2. The contention of the petitioners is that based on the complaint lodged by the respondents 2 and 3, the first respondent registered First Information Report in Crime No.282 of 2018 on the file of the first respondent Police for the offences under Sections 294(b), 323, 307, 506(2) and 324 IPC against the accused persons and thereafter, the case was charged sheeted in PRC.No.41 of 2018 on the file of the Chief Judicial Magistrate, Tirunelveli Town.

3. The further contention of the petitioners is that they compromised the issue with the respondents 2 and 3 amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the respondents 2 and 3 and also by their respective counsels.

5. The petitioners and the respondents 2 and 3 appeared



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along with their respective counsels and also produced their Aadhar cards before this Court. They were also identified by the learned Additional Public Prosecutor. Both the parties were enquired by me and they accepted the terms of compromise. Hence the Compromise Memo is recorded.

6. 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 23.12.2020, this Court is of the opinion that no useful purpose will be served by keeping the matter pending.

7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in PRC.No.41 of 2018 on the file of the learned Chief Judicial Magistrate, Tirunelveli, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

25.04.2024

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
trp



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To

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1. The learned Chief Judicial Magistrate, Tirunelveli
2. The Inspector of Police,
Palaymkottai Police Station,
Tirunelveli City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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A.A.NAKKIRAN, J.

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