

Crl.O.P.(MD) No.15918 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE K.K.RAMAKRISHNAN

Crl.O.P.(MD).No.15918 of 2020

and

Crl.M.P.(MD).Nos.7841 & 7842 of 2020

Arockia Raj @ Arokkiyaraj

... Petitioner

Vs.

1.The State through
The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
(in Crime No.209 of 2017)

2.K.Charles Boromeo @ Charles Dromiyo

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 482 Cr.P.C., to call for the records pertaining to the charge sheet in C.C.No. 126 of 2020, on the file of the learned Judicial Magistrate No.1, Nagercoil, Kanyakumari District and quash the same in respect of the petitioner.



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For Petitioner : Mr.S.Palani Velayutham
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor for R1
: No appearance for R2

ORDER

The petitioner who is the accused No.2 in C.C.No.126 of 2020, on the file of the learned Judicial Magistrate No.1, Nagercoil has filed this petition to quash the above proceedings.

2.The 1st respondent police filed the final report against the petitioner and other accused with allegation that they have committed offence under Sections 294(b), 506(i), 352 of IPC.

3.When the matter is taken up for hearing, the learned counsel for the petitioner would submit that the parties entered into compromise to resolve the dispute and submitted compromise memo before this Court at the time of filing the case and thereafter he has not received any communication from the parties and hence, he expresses his inability to proceed with the case.



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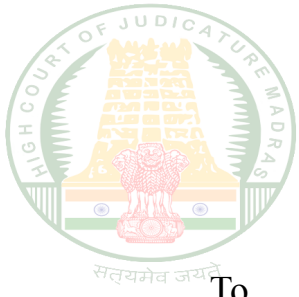
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4.The case is pending before this Court since 2020 and in view of the compromise memo filed before this Court to compound offence and also the dispute seems to be trivial and the learned counsel has no instructions from this parties, this Court is inclined to dismiss the above Crl.O.P.(MD).No.15918 of 2020 with liberty to file a fresh quash petition if circumstance warrants so.

5.Accordingly, this Criminal Original Petition stands dismissed for non-prosecution. Consequently, connected miscellaneous petitions are closed.

13.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
sbm



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1. The Judicial Magistrate No.1,
Nagercoil, Kanyakumari District.
- 2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.K.RAMAKRISHNAN, J.

sbn

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and

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