



CRL.OP(MD) NO.1670 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.1670 of 2024

1. Gowtham Janardhanan @ Gowtham
2. Vinil Bervin @ Vinish Bervin
3. Suthakar @ Murugan
4. Sanku Varna Perumal @ Sankar

... Petitioners

Vs

1. The Inspector of Police,
Karungal Police Station, Karungal,
Kanniyakumari District. Cr.No.151/2013.

2. Chellammal

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to call for the records pertaining to the impugned Charge sheet in CC.No.105/2019 pending on the file of the Learned Judicial Magistrate Eraniel Kanyakumari District and quash the same in respect of the petitioners.

For petitioners : Mr.L.George Paul Anto

For Respondents : Mr. M.Vaikkam Karunanithi
Government Advocate (Crl side)

For R2 : Mr.M.Umees Kumar



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ORDER

WEB COPY This petition has been filed by the petitioners to call for the records pertaining to C.C.No.105 of 2019 on the file of the Judicial Magistrate, Eraniel, Kanyakumari District for the offences under Section 147, 148, 452, 294(b), 324 IPC r/w 366 IPC @ 147, 148, 452, 294(b), 324, 326, 506(ii) IPC, in Crime No.151 of 2013 and quash the same.

2. According to the petitioners, the petitioners are the relatives of the defacto complainant. Based on the complaint given by the defacto complainant, the police has registered FIR in Cr.No. 151 of 2013 for the offences under Section 147, 148, 452, 294(b), 324 IPC r/w 366 IPC @ 147, 148, 452, 294(b), 324, 326, 506(ii) IPC. In this case, defacto complainant and the 2nd respondent sustained injuries. During the course of trial, defacto complainant was died and the other victim/2nd respondent is agreed to settle the dispute amicably.

3. When the matter was taken up for hearing, the learned counsel on both sides represented that in this case in C.C.No.105 of 2019, the matter has been amicably settled between the parties and to that effect, they have entered into a compromise and the same was filed before this Court.



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4. Today, the victim/2nd respondent and all the petitioners are present and the Court enquired about the terms of compromise. The victim represented that they entered into a compromise. A compromise memo, dated 18.03.2025 signed by the parties and their respective counsels, is also filed before this Court.

5. This Court has perused the terms of the compromise memo.

6. Considering the nature of the offences, the relationship between the parties and though the defacto complaint was died, other victim/2nd respondent appeared and all the parties have also entered into a compromise, it is appropriate to allow this petition.

7. Recording the said compromise memo, this petition is allowed and C.C.No.105 of 2019 on the file of the Judicial Magistrate, Eraniel, Kanyakumari District is quashed. Consequently, connected miscellaneous petition is closed.

18.03.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
PNM



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To

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1.The Judicial Magistrate, Eraniel, Kanyakumari District

2.The Inspector of Police,
Karungal Police Station, Karung al,
Kannyakumari District. Cr.No.151/2013.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL,J

PNM

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