



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2021

WEB COPY

CORAM:
THE HONOURABLE MR.JUSTICE **G.ILANGOVA**
Crl.O.P. (MD)No.5662 of 2020

- 1.Mohamed Mujammil @ Mohammed Muzammil
- 2.Mohammed Husean @ Mohamed Hussain
- 3.Ahamed Husean @ Ahamed Usain
- 4.Miyath Khan @ Syed Miyadh Khan ... Petitioners/Accused Nos 1 to 4

Vs.

- 1.State through
The Inspector of Police,
Valinokkam Police Station,
Ramanathapuram District.
Crime No.55 of 2017 ...Respondent/Complainant
- 2.Mohamed Azharudeen @ Azarudeen ... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records of the First Information Report in Crime No.55 of 2017 on the file of the 1st respondent police and quash the same as illegal.

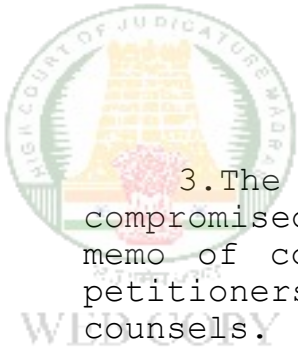
For Petitioners : Mr.S.M.A.Jinnah
For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor(Crl.Side)

For R2 : Mr.S.Manoj Kumar

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.55 of 2017 on the file of the 1st respondent police.

2.The contention of the petitioners and the second respondent is that based on the complaint lodged by the second respondent, the first respondent registered First Information Report in Crime No.55 of 2017 for the offences punishable under Sections 294(b) and 323 of IPC against the petitioners.



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

4.The petitioners and the second respondent appeared through video conference before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor (Crl.side) and by the Investigating Officer. Both the parties to compromise were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

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 19.03.2020, this Court is of the opinion that no useful purpose would be served by keeping the matter pending. Hence, all further proceedings in Crime No.55 of 2017 pending on the file of the 1st respondent is quashed. The compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in FIR No.55 of 2017, pending on the file of the 1st respondent is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Inspector of Police,
Valinokkam Police Station,
Ramanathapuram District.



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

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MGJ(09.08.2021) 3P 3C