



Crl.O.P.No.29828 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.29828 of 2022

1.Saravanan

2.Siva

3.Vignesh

4.Balaji @ Manikandan

5.Ramesh

...

Petitioners

Vs.

1.State rep by

The Sub Inspector of Police,
Magudanchavadi Police Station,
Salem District.

Crime No.333 of 2022.

... 1st Respondent/Complainant

2.Ashok

... 2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to pending investigation in Crime No.333 of 2022 on the file of the 1st respondent and quash the same.

For Petitioner : Mr. R.Sasikumar

For 1st Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition is filed to call for the records relating to pending investigation in Crime No.333 of 2022, on the file of the 1st respondent and quash the same.

2.When the matter is taken up, the learned counsel for the petitioners submitted that the petitioners and the second respondent/defacto complainant resolved their disputes and entered into a compromise. The second respondent/defacto complainant does not want to proceed further with this case and he has no objection for quashing the criminal case registered against the petitioners. A joint memo of compromise has also been filed in this regard.

3.The petitioners and the second respondent/defacto complainant are present before this Court. The second respondent/defacto complainant was enquired and he admitted that they resolved the disputes between them and he is willing to withdraw the complaint and quash the proceedings against the petitioners on his own willingness and volition.



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4.However, the learned Government Advocate (Crl.Side) submitted that the first petitioner has five previous cases pending against him and he is a history sheeter.

5.This Court perused the list of cases pending against the first petitioner and found that almost all the cases are under Sections 457 & 380 IPC. There appears no case of involving in physical violence against anybody. Taking these facts into account and also the fact that the parties have now entered into compromise to resolve the dispute and they all belong to the same village, this Court is of the view that the joint memo of compromise filed by the parties can be accepted and the second respondent/defacto complainant may be permitted to withdraw the complaint and the proceedings may be quashed against the petitioners for having peaceful relationship between the parties hereafter.

6.In this view of the matter, the joint memo of compromise is recorded, the second respondent/defacto complainant is be permitted to withdraw the complaint against the petitioners in Crime No.333 of 2022, on the file of the respondent police and in consequence thereto, the proceedings against the



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petitioners in Crime No.333 of 2022, on the file of the 1st respondent, is quashed. Accordingly, this Criminal Original Petition is allowed.

05.12.2022

sli
Internet: Yes
Index: Yes/No
Speaking/Non speaking order

To:

- 1.The Sub Inspector of Police,
Magudanchavadi Police Station,
Salem District.
Crime No.333 of 2022.
- 2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.
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