



Crl.O.P.(MD)No.769 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **13.03.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.769 of 2023
and Crl.M.P.(MD).No.697 of 2023

- 1.Mr.Bharat Jethabhai Patel @ Bharat Jettai Patel
- 2.Mr.Kiran Hiralal Patel @ Kirankumar Heeralal Patel
- 3.Mr.Pinkesh Sureshbhai Patel ... Petitioners/Accused

Vs.

1.The State, represented by,
The Inspector of Police,
District Crime Branch,
Dindigul District
(In Crime No.19 of 2022) ... 1st Respondent/Complainant

2.Boopathi ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records culminating into a criminal case in F.I.R.No.19 of 2022 on the file of the 1st Respondent Police and quash the same.

For petitioner	: Mr.M.Dinesh Hari Sudarsan
For R1	: Mr.R.Suresh Kumar Government Advocate (Crl. side)
For R2	: Mr.J.Sulaiman Basha



ORDER

WEB COPY

This petition has been filed seeking to quash the impugned FIR in Crime No.19 of 2022 on the file of the 1st respondent police.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.19 of 2022 for the offences punishable under Sections 120B, 406, 420 IPC.

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

4.The petitioners and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Government Advocate (Crl. side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. It is only a business transaction issue and now the amount has been settled by the accused person to the defacto complainant. Hence, the Compromise Memo is recorded.



Crl.O.P.(MD)No.769 of 2023

WEB COPY

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 09.02.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash all further proceedings in Crime No.19 of 2022 pending on the file of the 1st respondent police in respect of these petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.19 of 2022, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petition is closed.

13.03.2023

Index : Yes/No
Internet : Yes/No
TM

To

1.The Inspector of Police,
District Crime Branch,
Dindigul District
(In Crime No.19 of 2022)



WEB COPY



Crl.O.P.(MD)No.769 of 2023

G.ILANGOVA. J.

TM

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

Crl.O.P.(MD)No.769 of 2023

13.03.2023