



Crl.O.P.(MD)No.701 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.03.2023**

CORAM:

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

Crl.O.P.(MD)No.701 of 2023

- 1.Sundarapandi
- 2.Rethina Bharathi
- 3.Ajithkumar
- 4.Soorya Prakash
- 5.Arunkumar
- 6.Viswa
- 7.Ram Nethaji

... Petitioners

Vs.

- 1.State Rep. by
The Inspector of Police,
Town South Police Sttion,
Thanjavur District.
(P.R.C.No.44 of 2022)

2.Varaha Kumar

3.Gopinathan

4.Om Prakash

... Respondents

(3rd and 4th respondents were impleaded as per the order of this Court dated 31.01.2023 in Crl.M.P.(MD).No.1691 of 2023.)



PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the impugned charge sheet filed in P.R.C.No.44/2022 on the file of the Learned Judicial Magistrate Court No.I, Thanjavur for the alleged offences under section 147, 148, 341, 364, 294(b), 323, 307 of IPC as against the first petitioner and under Sections 147, 148, 341, 364, 294(b), 323 of IPC as against the petitioner Nos.2 to 7 in respect of the Crime No.179 of 2022.

For Petitioners : Mr.R.Sivakumar

For Respondents : Mr.S.Manikandan for R1
Government Advocate (Crl. Side)

Mr.Packiya Muthu.S for R2

ORDER

This petition has been filed to quash the impugned charge sheet filed in P.R.C.No.44/2022 on the file of the Learned Judicial Magistrate Court No.I, Thanjavur, as against the petitioner Nos.2 to 7 in respect of the Crime No.179 of 2022.

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.44 of 2022 for the offences punishable under Sections 147, 148, 341, 364, 294(b), 323, 307 of IPC, as against



the first petitioner and under Sections 147, 148, 341, 364, 294(b), 323 of IPC, against the petitioners 2 to 7.

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 Additional Public Prosecutor and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise.

5.The defacto complainant, the accused and the victims are appeared before this Court. On enquiry with the defacto complainant and the victim, it came to know that because of the love marriage between the daughter of the defacto complainant and the first accused, trouble has arisen and when the wife returned to the house of the defacto complainant, the above said occurrence said to have been taken place.



6.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 11.01.2023, 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 P.R.C.No.44 of 2022 pending on the file of the learned Judicial Magistrate No.I, Thanjavur in respect of the petitioners.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in P.R.C.No.44 of 2022, pending on the file of the learned Judicial Magistrate No.I, Thanjavur is hereby quashed in respect of the petitioners alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

31.03.2023

Index : Yes/No

Internet : Yes/No

TM

To

1.The Judicial Magistrate No.I, Thanjavur.

2.The Inspector of Police,
Town South Police Sttion,
Thanjavur District.

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



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G.ILANGOVAN. J.

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