

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.03.2023**

CORAM:

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

Crl.O.P.(MD) No.1755 of 2023

- | | |
|---|--|
| 1. Jamesrajan | |
| 2. Babu | |
| 3. Martin Rethinamani @ Martin | |
| 4. Rajamani @ Rjamani | |
| 5. Ramanathan | ...Petitioner/Accused Nos.1 to 5 |
| Vs. | |
| 1.The Inspector of Police,
Aralvaimozhi Police Station,
Aralvaimozhi,
Kanniyakumari District.
(Crime No. 376 of 2022) | ... 1 st Respondent/Complainant |
| 2.Nagarajan | ... 2 nd Respondent/Defacto
Complainant & victim |
| 3.Rosely | ... 3 rd Respondent/Victim |

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the FIR in Crime No.376 of 2022 on the file of the 1st respondent police and to quash the same.

For Petitioners	: Mr.N.Pragalathan
For R1	: Mr.S.Manikandan, Government Advocate
For R2	: Mr.Muthurakkan.K.

ORDER

This Criminal Original Petition has been filed seeking to call for the records relating to the FIR in Crime No.376 of 2022 on the file of the 1st respondent police and to quash the same.

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.376 of 2022 for the offences punishable under Sections 147, 448, 452, 294(b), 323, 324, 506(ii) of IPC and 4 of TN Prohibition of Harassment of Women Act, 2002, against the petitioners. It appears that there is small dispute between the parties and now the respondents 2 and 3 are decided to make compromise with the petitioners.

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

4.The petitioners and the respondents 2 and 3 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. 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 10.02.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.376 of 2022 pending on the file of the 1st respondent police is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.376 of 2022, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

21.03.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

Indu

G.ILANGOVAN. J.

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To

- 1.The Inspector of Police,
Aralvaimozhi Police Station,
Aralvaimozhi,
Kanniyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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