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Crl.O.P.(MD)No.1567 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.03.2023**

CORAM:

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

Crl.O.P.(MD) No.1567 of 2023

Arun Prasath

.. Petitioner/Accused No.3

Vs.

1.State rep. by

The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
In Crime No.352 of 2020

... 1st Respondent/Complainant

2.M.Tamilnathan

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned FIR in Crime No. 352 of 2020 on the file of the 1st respondent/Complainant and quash the same as against the petitioner/accused No.3.

For Petitioners : Mr.R.Venkateswaran

For R1 : Mr.S.Manikandan
Government Advocate (Crl. side)

For R2 : Mr.S.Jeyakumar

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.352 of 2020 on the file of the 1st respondent police.



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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.352 of 2020 for the offences punishable under Section 366 of IPC, against the petitioners.

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. Hence, the Compromise Memo is recorded.

5.Even though it is a matter of alleged kidnapping, it is seen that the victim is close relative of the first accused. The first accused alleged to have taken the victim girl and pressured her to marry him. But, now it



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was informed the Court that the victim girl got married with some other boy. The father of the victim girl is present before this Court and submitted that since they are close relative, they did not want to pursue the matter further.

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 08.03.2023, 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.352 of 2020 pending on the file of the 1st respondent police in respect of this petitioners.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.352 of 2020, 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.

13.03.2023

Index : Yes/No
Internet : Yes/No
TM



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To

1. The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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