



CrI.O.P.(MD).No.1789 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD).No.1789 of 2023

and

CrI.M.P.(MD).Nos.1594&1596 of 2023

Maniraj ...petitioner /Sole Accused

Vs.

1. State Rep. by its
The Inspector of Police,
Alangulam Police Station,
Tenkasi District.
(Crime No.446 of 2011) ...Respondents/ Complainant

2. Vallimayil ...Respondent/De Facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for records in C.C.No.30/2017 on the file of Judicial Magistrate, Alangulam, Tenkasi District and QUASH the same as illegal against this petitioner/Sole Accused.

For Petitioner : Mr. Mohamed Hashim.A.

For R1 : Mr.S.Manikandan
Government Advocate (CrI.Side)

For R2 : Mr.Hishaam



WEB COPY



CrI.O.P.(MD).No.1789 of 2023

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.30 of 2017 on the file of the learned Judicial Magistrate, Alangulam Tenkasi District.

2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.446 of 2011 for the offences punishable under Sections 294(b), 323 of IPC against the petitioner.

3.The further contention of the petitioner is that they compromised the issue with the 2nd respondent amicably. It appears that the petitioner is the grandson of the sister of the defacto complainant. A Compromise memo was filed, which has been duly signed by the petitioner and the 2nd respondent and also by their respective counsels.

4.The petitioner 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



CrI.O.P.(MD).No.1789 of 2023

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 petitioner and also in view of the joint compromise memo, dated 22.01.2023, 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 C.C.No.30 of 2017 pending on the file of the learned Judicial Magistrate, Alangulam Tenkasi District in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.30 of 2017, pending on the file of the learned Judicial Magistrate, Alangulam Tenkasi District is hereby quashed in respect of the petitioner alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

10.03.2023



CrI.O.P.(MD).No.1789 of 2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Judicial Magistrate, Alangulam, Tenkasi District.
2. The Inspector of Police,
Alangulam Police Station,
Tenkasi District.
(Crime No.446 of 2011)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD).No.1789 of 2023

G.ILANGO VAN,J.

TM

Crl.O.P.(MD).No.1789 of 2023
and
Crl.M.P.(MD).Nos.1594&1596 of 2023

10.03.2023