



Crl.O.P.(MD).No.1623 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

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1. Radhakrishnan
2. Suyambulingam @ Vaali
3. Kannan
4. Anandh @ Ananthan
5. Arunachalam @ Kosallai @ Kosal ram ... Petitioners

Vs.

- 1.The State Rep by
The Inspector of Police,
Ithamozhi Police Station,
Kanniyakumari District.
(Crime No.132 of 2010)
- 2.Thanesh Kumar
- 3.Rajakani
- 4.Muthukrishnan
(R3 and R4 impleaded as per the order
of this Court, dated 07.12.2023 in Crl.O.P(MD).No.
1623 of 2023) ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to the SC.No. 162 of 2013 on the file of the Principal District and Sessions Court at Nagercoil, Kanniyakumari District and quash the same as illegal.



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For Petitioners : Mr.S. Ayyanar Prem Kumar
For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)
For R2 :Mr.S. Sureshkumar

ORDER

This Criminal Original Petition is filed to call for the records pertaining to the case registered in impugned charge sheet in SC.No.162 of 2013 on the file of the Principal District and Sessions Court at Nagercoil, Kanniyakumari District and 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.132 of 2010 for the offences punishable under Sections 147, 148, 294(b), 323, 325, 506(ii) and 307 IPC, 1860 and Sections 3 of TNPPDL Act r/w. 149 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

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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.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 20.01.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in S.C.No.162 of 2013 on the file of the Principal District and Sessions Court at Nagercoil, Kanniyakumari District, is quashed and the compromise memo is recorded.



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6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in SC.No.162 of 2013 on the file of the Principal District and Sessions Court at Nagercoil, Kanniyakumari District, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

15.12.2023

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

trp

To

- 1.The Principal District and Sessions Court at Nagercoil, Kanniyakumari District.
2. The Inspector of Police,
Ithamozhi Police Station,
Kanniyakumari District.
(Crime No.533 of 2015)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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