

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.2437 of 2023

1.Kuttraleeswaran

2.Sekar

3.Nallamaruthu

4.Marimuthu

... Petitioners/Accused Nos.1 to 4

Vs.

1.The State represented by
The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
(In Crime No.719 of 2021)

... 1st Respondent/Complainant

2.Saravanan

... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the Charge Sheet in C.C. No. 298 of 2022 pending on the file of the Learned District Munsif Cum Judicial Magistrate, Kamuthi, and quash the same.

For Petitioners : Mr.Gurumoorthy.K

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

For R2 : Mr.Balaji.A

ORDER

This Criminal Original Petition has been filed seeking to call for the records pertaining to the Charge Sheet in C.C.No.298 of 2022 pending on the file of the Learned District Munsif Cum Judicial Magistrate, Kamuthi and quash the same.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent/De-facto Complainant, the 1st respondent registered the First Information Report in Crime No.719 of 2021 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) IPC, against the petitioners. It appears that it is a small dispute between the parties.

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. 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 06.02.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.298 of 2022 pending on the file of the learned District Munsif cum Judicial Magistrate, Kamuthi, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.298 of 2022, pending on the file of the learned District Munsif cum Judicial Magistrate, Kamuthi, 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
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G.ILANGO VAN. J.

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To

- 1.The District Munsif cum Judicial Magistrate,
Kamuthi.
- 2.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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