



Crl.O.P.(MD)No.3229 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **10.03.2023**

CORAM:

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

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- 1.Rasool Mydeen @ Kappusatti
- 2.Ameen @ Mohamed Mohamed Ameen
- 3.Abdhul Ajis @ Abdul Ajees
- 4.Bhath Appas @ Fahath Abbas
- 5.Mohamed Kalutheen @ Mohamed Kaluludeen

... Petitioners/Accused 1 to 5

Vs.

1.State represented through The Inspector of Police,
Melapalayam Police Station,
Tirunelveli city. ... 1st Respondent/Complainant
(In Crime No.376 of 2022)

2.Mohamed Ajees ... 2nd Respondent/Defacto Complainant

3.Mohamed Riyaz Khan ... 3rd Respondent/Victim

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records of impugned First Information Report in Crime No.376 of 2022, on the file of the Respondent No.1 Police Station and quash the same as illegal as against the petitioners.

For petitioners : Mr.A.Mohamed Riyaz



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

For R2 & R3 : Mr.C.Thamotharakannan

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.376 of 2022 on the file of the 1st respondent police.

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, 148, 294(b), 323, 324, 506(ii) IPC. There is a case in counter case.

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



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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 06.03.2023, 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.376 of 2022 pending on the file of the 1st respondent police in respect of these petitioners.

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. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

10.03.2023

Index : Yes/No
Internet : Yes/No
TM



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To

1.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli city.
(In Crime No.376 of 2022)

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN. J.

TM

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