



Crl.O.P.(MD)No.2927 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.Mohamed Ajis @ Mohamed Ajees
- 2.Riyaskan @ Mohamed Riyaz Khan
- 3.Rasik @ Abdul Rasik
- 4.Imran @ Imran Khan
- 5.Plumber Sithik @ Abupakkar Siddiq
- 6.Shajakan @ Shajahan
- 7.Hayath @ Mohamed Hayathuteen
- 8.Katheer @ Kather Ahamed ... Petitioners/Accused Nos.1 to 8

Vs.

- 1.The State through Inspector of Police,
Melapalayam Police Station,
Tirunelveli city.
(In Crime No.377 of 2022) ... 1st Respondent/Complainant
- 2.Bagath Appas @ Fahath Abbas
... 2nd Respondent/Defacto Complainant
- 3.Mohamed Kaluludeen ... 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 Police Station and quash the same as illegal as against the petitioners.



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For petitioner : Mr.C.Thamotharakkannan
For R1 : Mr.S.Manikandan
Government Advocate (Crl. side)
For R2 & R3 : Mr.A.Mohamed Riaz

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.377 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.377 of 2022 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC. It 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



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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 28.02.2023, 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.377 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.377 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.

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Index : Yes/No
Internet : Yes/No
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To

1.The State through Inspector of Police,
Melapalayam Police Station,
Tirunelveli city.
(In Crime No.377 of 2022)

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



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