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CrI.O.P.(MD)No.3204 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.03.2023**

CORAM:

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

CrI.O.P.(MD) No.3204 of 2023

and

CrI.M.P(MD) No.2938 of 2023

1. Vins Anto

2. A.Vinoth Anto

3. R.Prem Kumar

... Petitioners /Accused Nos.
1,2 and 3

Vs.

1.The Inspector of Police,
Kottar Police Station,
Nagercoil.
(Crime No.736 of 2012)

... 1st Respondent/Complainant

2.Murugan

... 2nd Respondent/Defacto Complainant

3. S.A.Ashokan

...3rd Respondent/Injured (L.W.2)

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in S.C.No.63 of 2022 on the file of learned II Additional Sub Court, Nagercoil, and quash the same.



Crl.O.P.(MD)No.3204 of 2023

For Petitioners : Mr. Perumal.C.T
For R1 : Mr.S.Manikandan
Government Advocate (Crl. Side)
For R2 & R3 : Mr. Sakthi Rao.G

ORDER

This Criminal Original Petition has been filed seeking to call for the records in S.C.No.63 of 2022 on the file of learned II Additional Sub Court, Nagercoil, 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.736 of 2012 for the offences punishable under Sections 342, 323, 324 and 307 IPC, against the petitioners. It appears that it is a dispute between the representative of former's group and the defacto complainant with regard to taking tender. Even though grievous injury is sustained by the defacto complainant, now the defacto complainant decided to join with the first petitioner.

3.The further contention of the petitioners is that they compromised the issue with the 2nd respondent amicably. A joint memo of



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 27.02.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in S.C.No.63 of 2022 pending on the file of the II Additional Sub Court, Nagercoil, is quashed and the compromise memo is recorded.

6. In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.C.No.63 of 2022, pending on the file of the II Additional Sub Court, Nagercoil, is hereby quashed in respect of the



CrI.O.P.(MD)No.3204 of 2023

petitioners and the terms of joint compromise memo shall form part of this order. Consequently, the connected Miscellaneous petition is closed.

15.03.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

Indu

To

1.The II Additional Sub Court, Nagercoil.

2.The Inspector of Police,
Kottar Police Station,
Nagercoil.

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



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Crl.O.P.(MD)No.3204 of 2023

G.ILANGOVAN. J.

Indu

Crl.O.P.(MD)No.3204 of 2023

15.03.2023