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Crl.O.P(MD)No.3225 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.03.2023**

CORAM:

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

Crl.O.P(MD)No.3225 of 2023

and

Crl.M.P(MD).NO.2950 of 2023

1.Charles

2.Vignesh

: Petitioners/ A1 & A2

Vs.

1.State rep., by

The Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District.

(Crime No.82 of 2017)

: 1st Respondent/ Complainant

2.Prakash

: 2nd Respondent/defacto
complainant

PRAYER : Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in proceeding in SC.No.61 of 2019 on the file of the learned Chief Judicial Magistrate, Thanjavur, at Kumbakonam connection and quash the same.

For Petitioner

: Mr.K.M.Karunakaran

For Respondents

: Mr.S.Manikandan (for R1)
Government Advocate (Crl.side)
Mr.G.Karnan (for R2)



ORDER

This petition has been filed seeking to quash the impugned charge sheet in SC.No.61 of 2019 on the file of the learned Chief Judicial Magistrate, Thanjavur, at Kumbakonam.

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.82 of 2017 for the offences punishable under Sections 294(b), 342 and 307 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 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 and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.



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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 13.02.2022, 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 SC.No.61 of 2019 on the file of the learned Chief Judicial Magistrate, Thanjavur, at Kumbakonam, in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in SC.No.61 of 2019 on the file of the learned Chief Judicial Magistrate, Thanjavur, at Kumbakonam, is hereby quashed in respect of the petitioners alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order. Consequently, connected Miscellaneous Petition is closed.

29.03.2023

Index : Yes/No

Internet : Yes/No

Rmk



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G.ILANGOVA, J.,

Rmk

To

1.The Chief Judicial Magistrate, Thanjavur, at Kumbakonam.

2.The Inspector of Police,
Nachiyarkovil Police Station,
Thanjavur District.

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

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