



Crl.O.P.(MD)Nos.3801 of 2023, 17070 of 2022 and 13200 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)Nos.3801 of 2023, 17070 and 13200 of 2022
and Crl.M.P(MD)Nos.8411 and 11466 of 2022

In Crl.O.P(MD)No.3801 of 2023:

- 1.Karunakaran
- 2.Vanitha
- 3.Raja

... Petitioners/Accused 1 to 3

Vs.

- 1.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District
(In Crime No.37 of 2020)

..1st Respondent/Complainant

- 2.Albert

...2nd Respondent/Defacto complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records relating to the impugned First information report in Crime No.37/2020 on the file of the 1st respondent and quash the same as illegal.

For Petitioners

: Mr.S.Saravana Kumar

For R1

: Mr.R.Suresh Kumar

Government Advocate(Crl.side)

For R2

: M/s.R.Chinna Ponnu

In Crl.O.P(MD)No.17070 of 2022:

- 1.Thanislaas

<https://www.mhc.tn.gov.in/judis>



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2.Arockiyasamy

3.Lawrance Paul

... Petitioners/Accused 1 to 3

Vs.

1.The State Represented through the

Inspector of Police,

Kalayarkovil Police Station,

Sivagangai District

(In Crime No.496 of 2020)

..1st Respondent/Complainant

2.Albert

...2nd Respondent/Defacto complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records relating to the impugned Charge Sheet in C.C.No.214 of 2020 on the file of the Judicial magistrate No.1, Sivagangai District and quash the same as against the petitioners.

For Petitioners

: Mr.S.Saravana Kumar

For R1

: Mr.R.Suresh Kumar

Government Advocate(Crl.side)

For R2

: Mr.N.Ananda Kumar

In Crl.O.P(MD)No.13200 of 2022:

1.Abraham

2.Arulraj

3.R.Santhiyagu

... Petitioners/Accused 1 to 3

Vs.

1.The State Represented through the

Inspector of Police,

Kalayarkovil Police Station,

Sivagangai District

(In Crime No.497 of 2020)

..1st Respondent/Complainant

2.R.Arockiyasamy

...2nd Respondent/Defacto complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records relating to the impugned



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First information report in Crime No.497 of 2020 on the file of the first respondent police and quash the same as against the petitioners.

For Petitioners	: Mr.Ananda Kumar
For R1	: Mr.R.Suresh Kumar Government Advocate(Crl.side)
For R2	: Mr.K.Backiyaraj

COMMON ORDER

The petitions in Crl.O.P(MD)Nos.3801 of 2023 and 13200 of 2022 have been filed seeking to quash the impugned FIRs in Crime Nos.37 and 497 of 2020 on the file of the 1st respondent police. Crl.O.P(MD)No.17070 of 2022 has been filed to quash the impugned Charge Sheet in C.C.No.214 of 2020 on the file of the Judicial Magistrate No.1, Sivagangai District.

2.The contention of the petitioners is that based on the complaints lodged before the 1st respondent, the First Information Reports have been registered in Crime No.37 of 2020 for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) IPC and Crime No. 497 of 2020 for the offences under Sections 294(b), 324, 506(2) IPC against the accused. In respect of FIR in Crime No.496 of 2020, the first respondent police has completed investigation and filed charge sheet in C.C.No.214 of 2020 before the Judicial Magistrate No.1, Sivagangai District, for the offences under Sections 341, 342, 294(b), 323, 324 and 506(2) IPC.



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3.The further contention of the petitioners is that they compromised the issue among them amicably. Separate joint memos of compromise were filed, which have been duly signed by the respective parties and also by their respective counsels.

4. The parties 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 the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memos are 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 memos, dated 23.03.2023, this Court is of the opinion that no useful purpose will be served by keeping the matters pending and inclined to quash all further proceedings in Crime Nos.497 and 37 of 2020 pending on the file of the 1st respondent police in respect of these petitioners and the Charge Sheet in C.C.No.214 of 2020 on the file of the Judicial Magistrate No. 1, Sivagangai.



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6.In the result, the Criminal Original Petitions stand allowed and the entire proceedings in Crime Nos.497 and 37 of 2020, pending on the file of the 1st respondent police and C.C.No.214 of 2020 on the file of the Judicial Magistrate No.1, Sivagangai are hereby quashed in respect of the petitioners. The compromise memos are recorded and the terms of joint compromise memos shall form part of this common order. Consequently, connected miscellaneous petitions are closed.

20.04.2023

Index : Yes/No
Internet:Yes/No
tta/CM
To

1.The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District
(In Crime Nos.37 and 497 of 2020)

2. The Judicial Magistrate No.1,
Sivagangai District

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



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G.ILANGO VAN, J.,

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