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Crl.O.P.(MD)No.4016 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.03.2023**

CORAM:

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

Crl.O.P.(MD) No.4016 of 2023

1.Ragul

2.Siva

... Petitioners

Vs.

1.The State rep. by
The Inspector of Police,
Suchindram Police Station,
Kanniyakumari District.
(Crime No.372 of 2022).

... 1st respondent / Complainant

2.Vivek

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in C.C.No.283 of 2023 on the file of the Judicial Magistrate No.III, Nagercoil and quash the same.

For Petitioners : Mr.S.Karkkikannan

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

For R2 : Mr.S.Manikandan



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.283 of 2023 on the file of the learned Judicial Magistrate No.III, Nagercoil.

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.372 of 2022 for the offences punishable under Sections 294(b), 324, 506(i) IPC, against the petitioners. It appears that it is a dispute arose out of a previous enmity and now the parties are ready to settle the issue in an amicable manner.

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 Additional Public Prosecutor and the Investigation Officer. Both the parties were enquired by me and they



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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 02.02.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.283 of 2023 pending on the file of the learned Judicial Magistrate No.III, Nagercoil, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.283 of 2023 pending on the file of the learned Judicial Magistrate No.III, Nagercoil is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

10.03.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No

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G.ILANGOVAN. J.

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To

- 1.The Judicial Magistrate No.III, Nagercoil.
- 2.The Inspector of Police,
Suchindram Police Station,
Kanniyakumari District.
(Crime No.372 of 2022).
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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