



Crl.O.P.(MD)No.13522 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

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- 1.Jellu @ Mohamed Israth Kasim
- 2.Ajarudeen @ Mohamed Azarudeen
- 3.Rabeek @ Rabeek Mohamed
- 4.Ajarudeen @ Mohamed Azarudeen
- 5.Kaja @ Haja Abdur Rahman

...Petitioners/Accused Nos.1 to 5

Vs.

- 1.State Represented by
The Sub Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
(In Crime No.87/2018).

...1st Respondent/Complainant

- 2.S.Absar Rahman @ Mohamed Absar
Rahman

...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the charge sheet in C.C No.119 of 2018 u/s.147, 294(b), 341, 324 and 506(ii)



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of IPC and 379(NH) of IPC on the file of the Learned District Munsif cum Judicial Magistrate, Ilayangudi and quash the same as illegal as against these petitioners.

For Petitioner : Mr.A.Sathik Raja
For R1 : Mr.P.Manikandan
Government Advocate (Crl. Side)
For R2 : Mr.S.A.S.Alaudeen

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.119 of 2018 on the file of the learned District Munsif cum Judicial Magistrate, Ilayangudi.

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.87 of 2018 for the offences punishable under Sections 147, 294(b), 341, 324, 427, 506(ii) and 379 IPC, against the petitioners. It appears that it is a dispute over the legal contract now the defacto complainant decided to make compromise with the petitioners.



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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 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 23.09.2022, 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.119 of 2018 pending on the file of the learned District Munsif cum Judicial Magistrate, Ilayangudi, is quashed



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and the compromise memo is recorded.

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6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.119 of 2018, pending on the file of the learned District Munsif cum Judicial Magistrate, Ilayangudi, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

21.03.2023

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

To

- 1.The learned District Munsif cum Judicial Magistrate,
Ilayangudi.
- 2.The Sub Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

G.ILANGOVAN,J.



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Order made in
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