



Crl.O.P.(MD)No.4491 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.03.2023**

CORAM:

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

Crl.O.P.(MD) No.4491 of 2023

1.Arul

2.Arunanandh

... Petitioners/Accused Nos.1 & 2

Vs.

1.State rep. by

The Inspector of Police,

Theni Police station,

Theni district

(In Crime No.240 of 2022)

... Respondent/Complainant

2. Balamurugan

... 2nd Respondent/ Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for records pertaining to the charge sheet in C.C.No.608 of 2022 on the file of the Learned Judicial Magistrate, Theni, and quash the same.

For petitioner : Mr.S.Poornachandran

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



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.608 of 2022 on the file of the learned Judicial Magistrate, Theni.

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.240 of 2022 for the offences punishable under Sections 294(b), 506(ii) 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 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.



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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 09.03.2023, 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 C.C.No.608 of 2022 pending on the file of the learned Judicial Magistrate, Theni in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.608 of 2022, pending on the file of the learned Judicial Magistrate, Theni 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.

13.03.2023

Index : Yes/No

Internet : Yes/No

TM

To

1.The Judicial Magistrate, Theni.

2.The Inspector of Police,
Theni Police station,
Theni district
(In Crime No.240 of 2022)



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G.ILANGO VAN. J.

TM

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

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