



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2023

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THE HON'BLE MR.JUSTICE G.ILANGOVAN

Crl.O.P. (MD) .No.4562 of 2023

1. K.Elumalai

2. G.Boopathi Raja

3. S.Palpandi

4. Sarath Kumar

...Petitioners/Accused No.1 to 4

Vs.

1. State rep. by

Inspector of Police,

Thirupparankundram Police Station,

Madurai.

...1st Respondent / Complainant

2. P.Gunasekaran

...2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in relating to C.C.No.152/2023 in Cr.No.647/2022 on the file of the Judicial Magistrate No.VI, Madurai and to quash the same in respect of the Petitioners/Accused.

For Petitioners

: Mr. Ganapathy Subramanian.V.

For R1

: Mr. B.Nambiselvan

Additional Public Prosecutor

For R2

: Mr.Ramakrishnan

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.152 of 2023 on the file of the learned Judicial Magistrate **(*)No.VI**, Madurai.

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.647 of 2022 for the offences punishable under Sections 447, 427, 294(b), 323 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.

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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 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.152 of 2023 pending on the file of the learned Judicial Magistrate (*) **No.VI**, Madurai in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.152 of 2023, pending on the file of the learned Judicial Magistrate (*) **No.VI**, Madurai 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.

(*)Corrected as per the order of this court dated 21.04.2023

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/06/2023

Sub Assistant Registrar(CS)

TM

To

1.The Judicial Magistrate (*) **No.VI**, Madurai.

2. Inspector of Police,
Thirupparankundram Police Station,
Madurai.

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

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



CrI.O.P.(MD).



23

+1 CC to M/s.V.GANAPATHY SUBRAMANIYAN, Advocate (SR-22817[F] dated 21/04/2023)

CrI.O.P. (MD) .No.4562 of 2023
10.03.2023

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