



Crl.O.P.(MD)No.5740 of 2023

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)No.5740 of 2023
and Crl.M.P(MD)No.5018 of 2023

1.Pirabhu @ Prabakaran

2.Murugapandi

... Petitioners/Accused Nos.2 & 3
Vs.

1. State Rep. by

The Inspector of Police,
Poovanthi Police Station,
Sivagangai District
(Crime No.179 of 2020)

...1st Respondent/Complainant

2. Thayalan

... 2nd Respondent/Defacto Complainant

3.Dharmendhran

..3rd Respondent/Injured LW2

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.593 of 2022 on the file of the Judicial Magistrate No.II, Sivagangai and quash the same.

For Petitioners

: Mr.C.T.Perumal

For R1

: Mr.R.Suresh Kumar

Government Advocate (Crl Side)

For R2 & R3

: Mr.P.Suresh

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.593 of 2022 on the file of the Judicial Magistrate

No.II, Sivagangai.

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



Crl.O.P.(MD)No.5740 of 2023

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.179 of 2020 for the offences punishable under Sections 147, 148, 294(b), 324 and 506(2) of IPC, against the petitioners. After completion of investigation, charge sheet has been filed and the same has been taken on file in C.C.No.593 of 2022 on the file of the Judicial Magistrate No.II, Sivagangai.

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 respondents 2 and 3 and also by their respective counsels.

4.The petitioners and respondents 2 and 3 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 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



Crl.O.P.(MD)No.5740 of 2023

compromise memo, dated 13.04.2023, 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.593 of 2022 on the file of the Judicial Magistrate No.II, Sivagangai in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.593 of 2022 on the file of the Judicial Magistrate No.II, Sivagangai, 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. Consequently, connected miscellaneous petition is closed.

20.04.2023

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

To

1. The Inspector of Police,
Poovanthi Police Station,
Sivagangai District
(Crime No.179 of 2020)
2. The Judicial Magistrate No.II, Sivagangai
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.O.P.(MD)No.5740 of 2023

G.ILANGO VAN, J.,

tta

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