



*CrI.O.P.(MD)No.4813 of 2023*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2023

CORAM

**THE HON'BLE MR.JUSTICE G.ILANGO VAN**

**CrI.O.P.(MD)No.4813 of 2023**

**and**

**CrI.M.PMD) Nos.4221 of 2023**

S. Mithilesh Nithin

... Petitioner/Accused No.6

Vs.

The Inspector of Police,  
Manamadurai Police Station,  
Sivagangai District.  
In Cr.No.201/2019

... 1<sup>st</sup> Respondent/Complainant

2. Andi

...2<sup>nd</sup> Respondent / Defacto Complainant

**PRAYER :** Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records connected with the impugned Charge sheet in C.C.No.2758 of 2022 on the file of the Judicial Magistrate, Manamadurai in Cr.No.201 of 2019 on the file of the 1<sup>st</sup> respondent in so far as the petitioner/accused No.6 is concerned and quash the same.



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For Petitioner : Mr.K.K.Kannan  
For R1 : Mr.B.Nambiselvan  
Additional Public Prosecutor  
For R2 : Mr.M.Sakthi Udhaya Anand

### **ORDER**

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.2758 of 2022 on the file of the learned Judicial Magistrate, Manamadurai.

2.The contention of the petitioner is that based on the complaint lodged by the 2<sup>nd</sup> respondent, the 1<sup>st</sup> respondent registered the First Information Report in Crime No.201 of 2019 for the offences punishable under Sections 147, 148, 294(b), 448, 223, 324, 379 & 506(ii) IPC and 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, against the petitioner and others. It appears that it is a petty issue between the parties and now the defacto complainant decided to make compromise with the petitioner.

3.The further contention of the petitioner is that they compromised the issue with the 2<sup>nd</sup> respondent amicably. A joint memo of compromise



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was filed, which has been duly signed by the petitioner and the 2<sup>nd</sup> respondent and also by their respective counsels.

4.The petitioner and the 2<sup>nd</sup> 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 petitioner and also in view of the joint compromise memo, dated 24.03.2023, 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.2758 of 2022 pending on the file of the learned Judicial Magistrate, Manamadurai, is quashed 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.2758 of 2022, pending on the file of the learned Judicial Magistrate, Manamadurai, is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order. Consequently, the connected Miscellaneous Petition is closed.

**24.03.2023**

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

Indu

To

- 1.The Inspector of Police,  
Manamadurai Police Station,  
Sivagangai District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGO VAN,J.**

Indu

Order made in  
**Crl.O.P.(MD)No.4813 of 2023**

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