



Crl.O.P.(MD)No.4762 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.4762 of 2023

Thavasiammal

... Petitioner

Vs.

1.State represent through the
The Inspector of Police,
Kadaiyanallur Police Station,
Kadaiyanallur,
Thenkasi District.

2.Guruvammal

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call the entire records related to the impugned proceeding in C.C.No.228 of 2019, pending on the file of the learned Judicial Magistrate Court, Thenkasi and quash the same as illegal against the petitioner.

For Petitioner

: Mr.N.M.Shajahan

For R1

: S. Manikandan

Government Advocate (Crl Side)

For R2

: Mr.P.Ponraj



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ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.228 of 2019, pending on the file of the learned Judicial Magistrate Court, Thenkasi.

2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.441 of 2014 for the offences punishable under Sections 294(b), 323 and 506(ii) of IPC, against the petitioner. It appears that there is a small issue between the parties.

3.The further contention of the petitioner 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 petitioner and the 2nd respondent and also by their respective counsels.

4.The petitioner 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 petitioner and also in view of the joint compromise memo, dated 14.03.2023, 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.228 of 2019, pending on the file of the learned Judicial Magistrate Court, Thenkasi, in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.228 of 2019, pending on the file of the learned Judicial Magistrate Court, Thenkasi, is hereby quashed in respect of the petitioner alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

06.04.2023

Index : Yes/No
Internet: Yes/No
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To

- 1.The Judicial Magistrate Court,
Thenkasi.
- 2.The Inspector of Police,
Kadaiyanallur Police Station,
Kadaiyanallur,
Thenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.,

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