



Crl.O.P.(MD).No.5352 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.5352 of 2023

1.Vasanth

2.Aravindh @ Aravinthkumar ... Petitioners/Accused Nos.1 & 2

Vs.

1.The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.

2. The Inspector of Police
Vachakarapatti Police Station,
Virudhunagar District.
Crime No. 15 of 2023 ... Respondents 1 and 2/Complainants

3.Mahalingam ... 3rd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to Crime No. 15 of 2023 on the file of the Vachakarapatti Police station, Virudhunagar District and quash the same against the petitioner concerned.



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For Petitioners : Mr.AK.Azagarsami

For Respondents : Mr.B.Nambiselvan for R1 & R2
Additional Public Prosecutor

Mr.P.Surya for R3

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.15 of 2023 on the file of the 2nd respondent police.

2.The contention of the petitioners is that based on the complaint lodged by the 3rd respondent, the 2nd respondent registered the First Information Report in Crime No.15 of 2023 for the offences punishable under Sections 147, 341, 294(b), 323, 451, 506(i) of IPC r/w. 4 of TNPWH Act, 2002 and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Act, 1989 against the petitioners.

3.The further contention of the petitioners is that they compromised the issue with the 3rd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 3rd respondent and also by their respective counsels.



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4.The petitioners and the 3rd 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. Earlier the learned Additional Public Prosecutor was required to verify as to whether any compensation has been received by the defacto complainant from the Government. Today, the learned Additional Public Prosecutor would submit that no compensation has been received by the defacto complainant.

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 30.03.2023, 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 Crime No.15 of 2023 pending on the file of the 2nd respondent police in respect of these petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.15 of 2023, pending on the file of the



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2nd respondent police is hereby quashed in respect of the petitioners. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

04.07.2023

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

Note: Issue order copy on 05.07.2023.

To

- 1.The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Virudhunagar,
Virudhunagar District.
2. The Inspector of Police
Vachakarapatti Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J.

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