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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD) No.5441 of 2023

1.Dan Berin

2.Xavier Alex

3.Vijay

: Petitioner/A1 to A3

Vs.

1.The Inspector of Police,
Marthandam Police Station,
Marthandam,
Kanyakumari District.
(Crime No.88 of 2013)

: R1/Complainant

2.Berlin Lal

: R2/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in Crime No.88 of 2023 on the file of the 1st respondent Police, Marthandam Police Station and quash the same with regard to the petitioners and pass such further orders.

For Petitioners : Mr.S.C.Herold Singh

For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor

For R2 : Mr.Aayiram K.Selvakumar

**ORDER**

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This petition has been filed seeking to quash the FIR in Crime No. 88 of 2023 on the file of the 1st respondent.

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.88 of 2023 for the offences punishable under Sections 294(b), 324, 323, 342 and 506(ii) IPC.

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.

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 15/03/2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash FIR in Crime No.88 of 2023 on the file of the first respondent, in respect of this petitioners.

6.In the result, the Criminal Original Petition stands allowed and the FIR in Crime No.88 of 2023 on the file of the first respondent, is hereby quashed. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

24.03.2023

Index : Yes/No
Internet : Yes/No
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To

1. The Inspector of Police,
Marthandam Police Station,
Marthandam,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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5



G.ILANGO VAN. J.

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