



Crl.O.P.(MD)No.5668 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5668 of 2023

Ananth

... Petitioner / Sole Accused

Vs.

1.The Inspector of police
Rajakamangalam Police Station,
Kanyakumari District
(In Crime No. 239 / 2019)

2. Subha

.. Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the case in C.C. No. 145 of 2021 on the file of the Learned Judicial Magistrate No. 1, Kanyakumari District at Nagercoil and quash the same.

For Petitioner	: Mr.B. Micheal Sebastin
For R1	: Mr.S. Manikandan
	Government Advocate (Crl Side)
For R2	: Mr.A.Venkatesh Kumar



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ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet C.C. No. 145 of 2021, pending on the file of the Learned Judicial Magistrate No. 1, Kanyakumari District at Nagercoil.

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.239 of 2019 for the offences punishable under Sections 294(b), 323 and 506(i) 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 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.



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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 27.03.2023, 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. 145 of 2021, pending on the file of the Learned Judicial Magistrate No. 1, Kanyakumari District at Nagercoil, in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C. No. 145 of 2021 pending on the file of the Learned Judicial Magistrate No. 1, Kanyakumari District at Nagercoil, 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.

28.03.2023

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



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- 1.The Learned Judicial Magistrate No. 1,
Kanyakumari District at Nagercoil.
- 2..The Inspector of police
Rajamangalam Police Station,
Kanyakumari 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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Order made in
CrI.O.P.(MD)No.5668 of 2023

Dated : 28.03.2023