



WEB COPY

Crl.O.P.(MD)No.5856 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2023

CORAM:

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

Crl.O.P.(MD)No.5856 of 2023

N.Thirumurugan

... Petitioner/Accused No.1

Vs.

1.The State rep. by
The Inspector of Police,
District Crime Branch,
Madurai District.
(FIR No.7 of 2020)

... 1st Respondent/Complainant

2.B.Chellapandi

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records of FIR No.7/2020 on the file of the District Crime Branch, Madurai District and quash the same against the petitioner.

For Petitioner : Mr.S.Ponsaravanan

For Respondents : Mr.R.Suresh Kumar for R1
Government Advocate (Crl. Side)

Mr.G.Hariharan for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No. 7 of 2020 on the file of the first respondent police.



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.7 of 2020 for the offences punishable under Sections 420, 406, 471, 506(1) of IPC, against the petitioner.

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. The defacto complainant stated that he has received the entire amount from the accused.

5.The learned Government Advocate (Crl. Side) would submit that the petitioner is involved in previous cases regarding petty issues. But not similar offence.



6.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 20.03.2023, 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.7 of 2020 pending on the file of the 1st respondent police in respect of this petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.7 of 2020, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioner. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

19.04.2023

Index : Yes/No
Internet : Yes/No
TM

To

- 1.The Inspector of Police,
District Crime Branch,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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