



CrI.O.P.(MD)No.7620 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.7620 of 2023

1.M.Esakkiappan

2.K.Dhamodaran

... Petitioners/Accused 1 & 2

Vs.

1. State by it's

Inspector of Police,

Vallioor,

Tirunelveli District

Tamil Nadu – 627 117.

..1st Respondent/Complainant

2.K.Chitravel Pandi

...2nd Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in S.C.No.335 of 2022 on the file of the Sub Judge, Vallioor and quash the same.

For Petitioners

: Mr.R.Rajeshkumar

For R1

: Mr.B.Nambiselvan

Additional Public Prosecutor

For R2

: Mr.V.Vijayendran



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ORDER

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This petition has been filed seeking to quash the Charge Sheet in S.C.No.335 of 2022 on the file of the Sub Judge, Vallioor.

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.234 of 2018 for the offences punishable under Sections 294(b), 307, 323, 324, 342 and 506(ii) IPC against the petitioners. After completion of investigation, charge sheet has been filed and the same is now pending in S.C.No.335 of 2022 on the file of the Sub Judge, Vallioor.

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



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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 petitioners 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 the charge sheet in S.C.No.335 of 2022 on the file of the Sub Judge, Vallioor, in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the charge sheet in S.C.No.335 of 2022 on the file of the Sub Judge, Vallioor, 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.

25.04.2023

Index : Yes/No
Internet:Yes/No
tta/CM



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1. Inspector of Police,
Vallioor,
Tirunelveli District
Tamil Nadu – 627 117.
2. The Sub Judge, Vallioor
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.,

tta

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