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Crl.O.P.(MD)No.6045 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.03.2023**

CORAM:

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

Crl.O.P.(MD)No.6045 of 2023

Kalaiselvam

... Petitioner/Accused No.1

Vs.

1.The State: rep. by
The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No.75 of 2012)

... 1st Respondent/Complainant

Muniyandi (Died)

... Defacto Complainant

2.Balamurugan

... 2nd Respondent/Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned charge sheet in P.R.C.No.31 of 2018 on the file of the District Munsif Cum Judicial Magistrate Court, Kamudhi, Ramanathapuram District and quash the same as against the petitioner is concerned.

For petitioner : Mr.V.M.Jegadeeshapandian

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



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in P.R.C.No.31 of 2018 on the file of the learned Judicial Magistrate, Kamudhi, Ramanathapuram District.

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.75 of 2012 for the offences punishable under Sections 364 of IPC.

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 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.



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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 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 P.R.C.No.31 of 2018 pending on the file of the learned Judicial Magistrate, Kamudhi, Ramanathapuram District in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in P.R.C.No.31 of 2018, pending on the file of the learned Judicial Magistrate, Kamudhi, Ramanathapuram District 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.

31.03.2023

Index : Yes/No
Internet : Yes/No
TM

To

1.The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.



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2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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G.ILANGOVAN. J.

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