



Crl.O.P.(MD)No.6416 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2023

CORAM:

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

Crl.O.P.(MD)No.6416 of 2023
and Crl. M.P.(MD) No.5596 of 2023

Spurgeon Samuel

... Petitioner

Vs.

1. The Inspector of Police,
Nesamony Police Station,
Kanyakumari District.
(Crime No.19/2023).

2. Harihara Sudhan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the FIR in Crime No.19/2023 on the file of the first respondent Police and quash the same as illegal.

For Petitioner	: Mr.Althaf Sheriff for M/s.Ajmal Associates
For R1	: Mr.B.Nambiselvan Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.19/2023 on the file of the 1st respondent police.



WEB COPY

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.19/2023 for the offences punishable under Sections 457, 380 and 34 of IPC, against the petitioner.

3.The further contention of the petitioner is that they compromised the issue with the 2nd respondent amicably. An affidavit was filed by the defacto complainant by saying that the matter has been compromised between the parties amicably, which has been duly signed by the 2nd respondent and also by his counsel.

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. Hence, the affidavit filed by the defacto complainant/second respondent is recorded.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the affidavit filed by the defacto complainant, dated 27.03.2023, this Court is of the



Crl.O.P.(MD)No.6416 of 2023

opinion that no useful purpose will be served by keeping the matter pending and inclined to quash all further proceedings in Crime No.19 of 2023 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.19 of 2023, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioner. Affidavit filed by the defacto complainant/second respondent is recorded. Consequently, the connected miscellaneous petition is closed.

06.04.2023

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

TTA

To

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



WEB COPY



CrI.O.P.(MD)No.6416 of 2023

G.ILANGOVAN. J.

TTA

CrI.O.P.(MD)No.6416 of 2023

06.04.2023