



Crl.O.P.(MD)No.7971 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.06.2023

CORAM:

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

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1.Sivasamy

2.Sumathi

3.C.Selvam

... Petitioners/Accused Nos.1 to 3

(3rd petitioner's name is removed from the cause title as per the order dated 19.06.2023, passed in Crl.O.P.(MD).No.7971 of 2023)

Vs.

1.The State rep. by

The Inspector of Police,
District Crime Branch,
Dindigul.

(Crime No.33 of 2015)

... 1st Respondent/Complainant

2.Mr.T.Sridhar Reddy

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records connected with the FIR in Crime No. 33/2015 dated 14.07.2015 pending investigation on the file of the Respondent Police and Quash the same.

For Petitioner : Mr.J.Robert Chandrakumar

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

Mr.M.Mohamed Nihaf for R2



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ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.33 of 2015 on the file of the 1st respondent police.

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.33 of 2015 for the offences punishable under Sections 406, 420, 465, 468 and 120 B of IPC.

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 Government Advocate (Crl. side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. It is a money transaction issue



between the parties. The defacto complainant is present before this Court and stated that he has received the entire amount from the accused person. In view of the above said memorandum of understanding between the parties, the third petitioner is not a party in this proceedings. His name is also not found in the FIR. The third petitioner is also present before this Court today. Let his name be removed from the cause list. Accordingly, this criminal original petition is **dismissed** in respect of the 3rd petitioner.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners 1 & 2 and also in view of the joint compromise memo, 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.33 of 2015 pending on the file of the 1st respondent police in respect of these petitioners 1 & 2.

6.In the result, the Criminal Original Petition stands allowed in respect of the petitioners 1 & 2 and the entire proceedings in Crime No. 33 of 2015, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners 1 & 2. The compromise memo is



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recorded and the terms of joint compromise memo shall form part of this order.

19.06.2023

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

(Note: Since third petitioner's name was directed to be removed from the cause list vide the above said order, Registry is directed to carry out necessary amendments in this regard)

To

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



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G.ILANGOVAN. J.

TM

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