



Crl.O.P.(MD)No.7287 and 7294 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)Nos.7287 and 7294 of 2023

In Crl.O.P(MD)No.7287 of 2023:

- 1.Balamurugan
- 2.Suryaprabhu
- 3.Sankar @ Sankaran
- 4.Madhan @ Suthesh
- 5.Mohan

... Petitioners/Accused Nos.1 to 5

Vs.

- 1.The State rep. By
The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District
(Crime No.63 of 2023)

... 1st Respondent/Complainant

- 2.Tamilselvam

..2nd Respondent/Defacto Complainant

- 3.Rajkumar
- 4.Ajithkumar

..Respondents 3 and 4/Victims

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the First information report in Crime No.63 of 2023 on the file of the 1st respondent and quash the same as illegal.

For Petitioners
For R1

: Mr.R.Gowri Shankar
: Mr.R.Suresh Kumar
Government Advocate (Crl.side)
: Mr.K.Radhakrishnan

For R2 to R4



Crl.O.P.(MD)No.7287 and 7294 of 2023

In Crl.O.P(MD)No.7294 of 2023:

- 1.Ajithkumar
- 2.Arunmozhithevan
- 3.Raja
- 4.Abinesh @ Abineshwaran
- 5.Andisamy

... Petitioners/Accused Nos.1 to 5

Vs.

- 1.The State rep. By
The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District
(Crime No.64 of 2023)

... 1st Respondent/Complainant

- 2.Shanthi

..2nd Respondent/Defacto Complainant

- 3.Balamurugan
- 4.Suryaprabhu

...Respondents 3 and 4/Victims

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the First information report in Crime No.64 of 2023 on the file of the 1st respondent and quash the same as illegal.

For Petitioners	: Mr.K.Radhakrishnan
For R1	: Mr.R.Suresh Kumar Government Advocate (Crl.side)
For R2 to R4	: Mr.R.Gowri Shankar

COMMON ORDER

These petition have been filed seeking to quash the impugned FIRs in Crime Nos.63 and 64 of 2023 on the file of the 1st respondent police.



Crl.O.P.(MD)No.7287 and 7294 of 2023

2.The contention of the petitioners is that based on the complaints lodged before the 1st respondent, the First Information Report in Crime No. 64 of 2023 has been registered for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(i) IPC r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 and the First Information Report in Crime No.63 of 2023 has been registered for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(i) IPC against the accused.

3.The further contention of the parties is that they compromised the issue among themselves amicably. Separate joint memos of compromise were filed, which have been duly signed by the parties and also by their respective counsels.

4.The parties 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. Hence, the Compromise Memos are recorded.



Crl.O.P.(MD)No.7287 and 7294 of 2023

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memos, dated 09.04.2023, 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 Nos.63 and 64 of 2023 pending on the file of the 1st respondent police in respect of the petitioners.

6.In the result, the Criminal Original Petitions stand allowed and the entire proceedings in Crime Nos.63 and 64 of 2023 pending on the file of the 1st respondent police are hereby quashed in respect of the petitioners. The compromise memos are recorded and the terms of joint compromise memos shall form part of this common order.

20.04.2023

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

To

1.The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District
(Crime No.63 of 2023)

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



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G.ILANGO VAN, J.,

tta

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20.04.2023