



CrI.O.P.(MD)No.7402 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.7402 of 2023

1.Madasamy

2.Sankar

... Petitioners/Accused 1 & 2

Vs.

State represented by

1.The Inspector of Police,

SIPCOT Police Station,

Tuticorin District

(Crime No.131 of 2018)

..1st Respondent/Complainant

2.Valli

... 2nd Respondent/Defacto complainant

3.Kannan

...3rd Respondent/Victim

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.302 of 2020 on the file of the Additional District Judge No.II, Tuticorin. and quash the same as illegal.

For Petitioners

: Mr.C.Susi Kumar

For R1

: Mr.Nambiselvan

Addl. Public Prosecutor

For R2

: Mr.R.Maheswaran

ORDER

This petition has been filed seeking to quash the Charge Sheet in

<https://www.mhc.tn.gov.in/judic> S.C.No.302 2020 on the file of the Additional District Judge No.II, Turicorin.



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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.131 of 2018 for the offences punishable under Sections 294(b), 364, 506(2) and 307 IPC against the petitioners. After completion of investigation, charge sheet has been filed and the same is now pending in S.C.No.302 of 2020 on the file of the Additional District Court No.II, Tuticorin.

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. Hence, the Compromise Memo is recorded.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint



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compromise memo, dated 20.04.2023, 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.302 of 2020 on the file of the Additional District Court No.II, Tuticorin, in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings S.C.No.302 of 2020 on the file of the Additional District Court No.II, Tuticorin, 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.

21.04.2023

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

To

- 1.The Inspector of Police,
SIPCOT Police Station,
Tuticorin District
(Crime No.131 of 2018)
2. The Additional District Court No.II,
Tuticorin.
- 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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