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Crl.O.P.(MD)No.7694 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.06.2023**

CORAM:

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

Crl.O.P.(MD) No.7694 of 2023

S.Manikandan

... Petitioner / Accused

Vs.

1.State rep. by
The Sub Inspector of Police,
Eral Police Station,
Thoothukudi District.

2.Baskar

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the Sessions Case in STC.No. 1183 of 2022 on the file of the Judicial Magistrate No.II, Srivaikuntam, Thoothukudi District and quash the same.

For petitioner	: Mr.K.Gangadaran
For R1	: Mr.B. Namiselvan Additional Public Prosecutor
For R2	: Mr.C. Turibuis Beski

ORDER

This Criminal Original Petition has been filed seeking to quash the



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charge sheet in STC.No.1183 of 2022 on the file of the Judicial Magistrate No.II, Srivaikuntam, Thoothukudi 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.151 of 2020 for the offences punishable under Sections 279 and 338 IPC, against the petitioner.

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.

5.Considering the totality of the circumstances, the nature of the



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allegations levelled against the petitioner and also in view of the joint compromise memo, dated 13.06.2023, 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 STC.No.1183 of 2022 pending on the file of the Judicial Magistrate No.II, Srivaikuntam, Thoothukudi District in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in STC.No.1183 of 2022 on the file of the Judicial Magistrate No.II, Srivaikuntam, Thoothukudi 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.

26.06.2023

Index : Yes/No
Internet : Yes/No
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To

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1. The Judicial Magistrate No.II, Srivaikuntam, Thoothukudi District
2. The Sub Inspector of Police,
Eral Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

trp

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