



Crl.O.P.(MD)Nos.7935 and 7938 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)Nos.7935 and 7938 of 2023

In Crl.O.P(MD)No.7935 of 2023:

1.Vaikunda Mani

2.Jeba Jini

... Petitioner/Accused 1 and 2

Vs.

1.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District
(Crime No.99 of 2019)

... 1st Respondent/Complainant

2.Rajesh

... 2nd Respondent/De-Facto complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.T.C. No. 1541 of 2022 on the file of Learned Judicial Magistrate Court No.I, Kuzhithurai and to quash the same.

For Petitioners
For R1

: Mr.SC.Herold Singh
: Mr.B.Nambiselvan
Additional Public Prosecutor

For R2

: Mr.L.Iden Sony

In Crl.O.P(MD)No.7938 of 2023:

Rajesh

... Petitioner/Sole Accused

Vs.

1.State Represented by
The Inspector of Police,



Crl.O.P.(MD)Nos.7935 and 7938 of 2023

Marthandam Police Station,
Kanyakumari District
(Crime No.98 of 2019)

..1st Respondent/Complainant

2.Vaikunda Mani

...2nd Respondent/De-Facto complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C. No. 693 of 2022 on the file of Learned Judicial Magistrate Court No.I, Kuzhithurai and to quash the same as against the petitioners.

For Petitioners	: Mr.L.Iden Sony
For R1	: Mr.B.Nambiselvan Additional Public Prosecutor
For R2	: Mr.SC.Herold Singh

COMMON ORDER

These petitions have been filed seeking to quash the impugned charge sheets in S.T.C. No.1541 of 2022 and C.C.No.693 of 2022 on the file of the Judicial Magistrate Court No.I, Kuzhithurai,Kanyakumari District.

2.The contention of the petitioners is that based on the complaints lodged before the 1st respondent, the First Information Reports have been registered in Crime No.99 of 2019 on the file of the first respondent for the offences punishable under Sections 341, 294(b), 323 and 506(1) of IPC and in Crime No.98 of 2019 on the file of the first respondent for the offence under



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Sections 447, 294(b), 323, 324 and 506(2) of IPC against the accused. After completion of investigation, charge sheets have been filed in S.T.C.No.1541 of 2022 and C.C.No.693 of 2022 on the file of the Judicial Magistrate Court No.I, Kuzhithurai, Kanyakumari District.

3.The further contention of the petitioners is that they compromised the issue among them amicably. Separate joint memos of compromise were filed, which have been duly signed by the respective 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 Additional Public Prosecutor and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memos are recorded.

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 20.04.2023, this Court is of the opinion that no useful purpose will be served by keeping the matters pending and inclined to quash all further proceedings in S.T.C.No.1541 of 2022 and C.C.No.693 of



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2022 on the file of the Judicial Magistrate Court No.I,
Kuzhithurai,Kanyakumari District in respect of these petitioners.

6.In the result, the Criminal Original Petitions stand allowed and the charge sheets in S.T.C.No.1541 of 2022 and C.C.No.693 of 2022 on the file of the Judicial Magistrate Court No.I, Kuzhithurai,Kanyakumari District 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.

27.04.2023

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

To

- 1.The Inspector of Police,
Marthandam Police Station,
Kanyakumari District
(Crime No.98 and 99 of 2019)
2. The Judicial Magistrate Court No.I,
Kuzhithurai,
Kanyakumari District.
- 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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