



Crl.O.P.(MD)No.8166 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.8166 of 2023

1.C.Senthilkumar

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police,
Pudukottai Police Station,
Tuticorin District.
(Crime No.149/2022)

2.R.Balamurugan
S/o.Rajagopal

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with P.R.C.No.149 of 2022 on the file of the learned Judicial Magistrate Court, No.III, Thoothukudi in connection with Crime No.149 of 2022 on the file of the first respondent and quash the same.

For Petitioner

:Mr.P.Banuprasath

For R1

:Mr.R.Suresh Kumar
Government Advocate (Criminal Side)

For R2

:Mr.K.Arunraj



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in P.R.C.No.149 of 2022 pending on the file of the Judicial Magistrate No.III, Thoothukudi.

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.149 of 2022 for the offences punishable under Sections 341, 294(b), 307 and 506(ii) of IPC against the petitioner. It appears that there is a small issue between the parties.

3.The further contention of the petitioner is that they compromised the issue with the 2nd respondents 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.



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5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and also in view of the joint compromise memo, dated 27.04.2023, 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 P.R.C.No.149 of 2022 pending on the file of the Judicial Magistrate No.III, Thoothukudi, in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in P.R.C.No.149 of 2022 pending on the file of the Judicial Magistrate No.III, Thoothukudi, 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.

28.04.2023

NCC :Yes / No
Index :Yes / No
Internet :Yes / No
sbm



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To

- 1.The Inspector of Police,
Pudukottai Police Station,
Tuticorin District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.,

sbn

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