



Crl.O.P.(MD)No.10205 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10205 of 2023

Malaisamy ... Petitioner / Sole Accused

Vs.

1. The Inspector of Police,
Thiruvegampet Police Station,
Sivagangai District.

Crime No.92/2019. ... 1st Respondent / Complainant

2. Muniyasamy ... 2nd Respondent/ Defacto complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned order made in P.R.C. No.19 of 2022, in Crime No.92 of 2019, on the file of the Judicial Magistrate, Devakottai and quash the same as illegal.

For Petitioner : Mr.G.Sarath Kumar

For R1 : Mr. S. Manikandan
Government Advocate (Crl Side)

For R2 : Mr.R.Balakrishnan

ORDER

This Criminal Original Petition has been filed seeking to quash the impugned order made in P.R.C. No.19 of 2022, in Crime No.92 of 2019, on the file of the Judicial Magistrate, Devakottai.



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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.92 of 2019 for the offences punishable under Sections 294(b), 324 and 307 of I.P.C. against the petitioner.

3. The further contention of the petitioner is that the issue between the brothers and 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 learned Government Advocate (Crl Side) would submit that the petitioner is having several previous cases, among which, four cases are assault matters. Some of the assault cases have been acquitted and one case is convicted.

5. 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 Government Advocate (Crl Side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Joint Compromise Memo is recorded.



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6. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the compromise memo, 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.19 of 2022, in Crime No.92 of 2019, on the file of the Judicial Magistrate, Devakottai, in respect of the petitioner.

7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in P.R.C. No.19 of 2022, in Crime No.92 of 2019, on the file of the Judicial Magistrate, Devakottai, is hereby quashed in respect of the petitioner alone. The compromise memo is recorded and the terms of compromise memo shall form part of this order.

12.06.2023

Index : Yes/No
Internet: Yes/No
Ls



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G.ILANGO VAN, J.,

Ls

To

- 1.The Judicial Magistrate,
Devakottai.
- 2.The Inspector of Police,
Thiruvegampet Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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