



Crl.O.P.(MD).No.9220 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.9220 of 2023

Saruhan @ Sharukan

... Petitioner/Sole Accused

Vs.

1.State rep. by

The Sub Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.

(Crime No.655 of 2022) ... 1st Respondent/Respondent

2.Kinnet Jones Raj

... 2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the impugned FIR in Crime No.655 of 2022 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.S.Vishnuvardhan

For Respondents : Mr.R.Suresh Kumar for R1
Government Advocate (Crl. Side)

Mr.G.Sailendrababu for R2



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ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No.655 of 2022 on the file of the 1st respondent police.

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.655 of 2022 for the offences punishable under Sections 294(b), 323, 506(ii) of 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 Government Advocate (Crl. side) and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. The issue is between the husband and



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wife. Suspecting the conduct of the husband, the above said occurrence has been taken place.

5.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, dated 17.05.2023, 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 Crime No.655 of 2022 pending on the file of the 1st respondent police in respect of this petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.655 of 2022, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioner. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

06.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM



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To

- 1.The Sub Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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