



CrI.O.P.(MD)No. 9905 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.06.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No. 9905 of 2023

and

CrI.M.P.(MD)No.7907 of 2023

Mr. Nayan Ramesh Kala

... Petitioner/Accused No 2

Vs.

1.The Inspector of Police

Bodinayakkanur Town Police station,

(Crime No 1258/2021)

... Respondent/Complainant

2. Nagamani

... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the FIR in Crime No.1258 of 2021 dated 19.09.2021 on the file of the respondent No.1 and quash the same.

For Petitioner

:M/s. Jinnah S M A



Cr.L.O.P.(MD)No. 9905 of 2023

For R1 : Mr.R. Suresh Kumar
Government Advocate
(Criminal side)

For R2 : Mr. S.S.Sundara Pandian

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.1258 of 2021 dated 19.09.2021 on the file of the 1st respondent police.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.1258 of 2021 for the offences punishable under Sections 294(b), 465, 468, 471, 420, 506(2) of IPC against the petitioner. It is a dispute with regard to business transaction.

3.The further contention of the petitioner is that he compromised the issue with the 2nd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 2nd respondent and also by their respective counsels.



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4.The petitioners 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 Compromise Memo is 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 memo, dated 22.06.2023, 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 Crime No.1258 of 2021 pending on the file of the 1st respondent police in respect of this petitioners. The matter is settled at Rs.70 Lakhs, eventhough more than rupees One Crore is mentioned in the complaint.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.1258 of 2021, pending on the file of the 1st respondent police is hereby quashed in respect of the



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petitioners. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petition stands closed.

27.06.2023

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

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To

- 1.The Inspector of Police
Bodinayakkanur Town Police station, Theni District.
(Crime No 1258/2021)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.

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Order made in

CrI.O.P.(MD)No. 9905 of 2023

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