



Crl.O.P.(MD)No.9938 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **14.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

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1. Kaleel Rahman @ Kalil Rahuman
2. Kaithe Millath
3. Umarkatha
4. Mohamed Ibrahim @ Mohamed Ibrahimsha
5. Sabiyulla @ Mohamed Sabiyullah
6. Abbas Ali @ Appasali
7. Mohamed Ali
8. Naina Mohamed
9. Sahul Hameed
10. Syed Ibramsha
11. Naina Mohamed @ Tinnu
12. Broskhan @ Brosekhan

... petitioners / Accused

Nos.1 to 5, 8 to 12, 14 and 15

Vs.



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1.State, through
The Sub-Inspector of Police,
Thiruppalaikudi Police Station,
Ramanathapuram District.
Crime No.99 of 2022.

...1st Respondent/Complainant

2. Benazir Begam

... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records from the 1st respondent Police FIR in Crime No.99 of 2022, on the file of the Thiruppalaikudi Police Station, Ramanathapuram District and quash the same as devoid of merits.

For petitioners	: Mr. Kalantar Aasik hamadu.K.I
For R1	: Mr.R.Suresh Kumar, Government Advocate(Crl.side)
For R2	: Mr.S.Kamaraj

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.99 of 2022 dated 16.05.2022 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.99 of 2022 for the offences punishable



under Sections 147, 148, 448, 294(b), 324, 323, 379, 427, 506(ii) of IPC and 4 of TNPWH Act against the petitioners.

3. The further contention of the petitioners 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 petitioners and the 2nd respondent and also by their respective counsels.

4. The defacto complainant is present before this Court, stated that even though she has given a complaint that damage caused worth about Rs.50,000/- that was made by the accused, now she says that no such damage was caused to the vehicle and no missing of articles were found. By misconception, she has given a complaint.

5. Perusal of CD file shows that the major portion of the complaint that was given by the second respondent found not true.

6. 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 Additional Public Prosecutor and the Investigation Officer. Both the parties were enquired by me and



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they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

7. 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 13.06.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.99 of 2022 pending on the file of the 1st respondent police is quashed and the compromise memo is recorded.

8. In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.99 of 2022, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

14.06.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

Indu



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To

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



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G.ILANGOVAN. J.

Indu

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