



Crl.O.P.(MD)No.10148 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.JLANGOVAN

Crl.O.P.(MD)No.10148 of 2023

1.Paulraj

2.Thilakaraj

3.Balraj

4.Antony Raj

... Petitioners / Accused Nos.1 to 4

Vs.

1.The State rep. by

The Inspector of Police,

Authoor Police Station,

Tuticorin District.

(Crime No.29 of 2023)

... 1st Respondent / Complainant

2. Aniston

... 2nd Respondent/ Defacto complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and to quash the charge sheet filed against the petitioners in S.T.C.No.258 of 2023 on the file of Judicial Magistrate Court, Tiruchendur in respect of Crime No.29 of 2023 on the file of the first respondent police.

For Petitioners

: Mr.N.Vignesh

For R1

: Mr.B.Nambiselvan

Additional Public Prosecutor

For R2

: Mr.V.Karthickraja



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet filed against the petitioners, in S.T.C.No.258 of 2023, on the file of Judicial Magistrate, Tiruchendur, in respect of Crime No.29 of 2023, on the file of the first 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.29 of 2023 for the offences punishable under Sections 294(b), 323 of I.P.C. against the petitioners.

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

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



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the terms of joint compromise. Hence, the Joint Compromise Memo is recorded.

5. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners and the offence is compoundable in nature and also in view of the joint 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 S.T.C.No.258 of 2023, on the file of Judicial Magistrate, Tiruchendur, in respect of the petitioners.

6. In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.T.C.No.258 of 2023 on the file of Judicial Magistrate Court, Tiruchendur, is hereby quashed in respect of the petitioners alone. The joint compromise memo is recorded and the terms of joint 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,
Tiruchendur.
2. The Inspector of Police,
Authoor Police Station,
Tuticorin District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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