



Crl.O.P.(MD)Nos.10055 and 10061 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)Nos.10055 and 10061 of 2023

1.Narayana Perumal

2.Mayamuthu

... Petitioners/Accused No.1 & 6
in Crl.O.P.(MD)No.10055 of 2023

Selvabalan

... Petitioners/Accused No.2
in Crl.O.P.(MD)No.10061 of 2023

Vs.

1.The State rep. by
The Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.
(Crime No.161 of 2019)

... 1st Respondent/Complainant
in Crl.O.P.(MD)No.10055 of 2023

2.Selvabalan

... 2nd Respondent/Defacto complainant
in Crl.O.P.(MD)No.10055 of 2023

1.The State rep. by
The Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.
(Crime No.162 of 2019)

... 1st Respondent/Complainant
in Crl.O.P.(MD)No.10061 of 2023

2.Narayana Perumal

... 2nd Respondent/Defacto complainant
in Crl.O.P.(MD)No.10061 of 2023



Crl.O.P.(MD)Nos.10055 and 10061 of 2023

Prayer in Crl.O.P(MD)No.10055 of 2023: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with C.C.No.1527 of 2020 on the file of the Learned Judicial Magistrate, Radhapuram, Tirunelveli District in relation to Crime No.161 of 2019 on the file of the Inspector of Police, Radhapuram Police Station, Tirunelveli District and subsequently quash the same.

Prayer in Crl.O.P(MD)No.10061 of 2023: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with C.C.No.1530 of 2020 on the file of the Learned Judicial Magistrate, Radhapuram, Tirunelveli District in relation to Crime No.162 of 2019 on the file of the Inspector of Police, Radhapuram Police Station, Tirunelveli District and subsequently quash the same.

For Petitioners	: Mr.S.Palani Velayutham (in Crl.O.P(MD)No.10055 of 2023)
For Petitioner	: Mr.K.Prabakaran (in Crl.O.P(MD)No.10061 of 2023)
For Respondent No.1	: Mr.B.Nambiselvan Additional Public Prosecutor (in all Crl.O.P's)
For Respondent No.2	: Mr.K.Prabakaran (in Crl.O.P(MD)No.10055 of 2023)
For Respondent No.2	: Mr.S.Palani Velayutham (in Crl.O.P(MD)No.10061 of 2023)

ORDER

These Criminal Original Petitions have been filed seeking to quash the charge sheets in C.C.No.1527 of 2020 and C.C.No.1530 of 2020 on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli



Crl.O.P.(MD)Nos.10055 and 10061 of 2023

District.

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2. The contention of the petitioners in Crl.O.P.(MD)No.10055 of 2023 is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.161 of 2019 for the offences punishable under Sections 147, 294(b), 324, 324 and 506(i) IPC against the petitioners. The contention of the petitioners in Crl.O.P. (MD)No.10061 of 2023 is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.162 of 2019 for the offences punishable under Sections 147, 294(b), 324, 324 and 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act against the petitioner. It appears that it is a case and counter case and that there is a small issue between the parties.

3. The further contention of the parties 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 in the respective cases and also by their respective counsels.

4. Both the parties appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the



Crl.O.P.(MD)Nos.10055 and 10061 of 2023

learned Additional Public Prosecutor 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 memos, dated 01.06.2023, this Court is of the opinion that no useful purpose will be served by keeping the matters pending and inclined to quash all further proceedings in C.C.No.1527 of 2020 and C.C.No.1530 of 2020 on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli District in respect of the petitioners.

6. In the result, these Criminal Original Petitions stands allowed and the entire proceedings in C.C.No.1527 of 2020 and C.C.No.1530 of 2020 on the file of the learned Judicial Magistrate, Radhapuram, Tirunelveli District are hereby quashed in respect of the petitioners alone. The compromise memos are recorded and the terms of joint compromise memos shall form part of these orders.

09.06.2023

Index : Yes/No
Internet: Yes/No
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<https://www.mhc.tn.gov.in/judis>



Crl.O.P.(MD)Nos.10055 and 10061 of 2023

To

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1. Learned Judicial Magistrate, Radhapuram, Tirunelveli District
2. The Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)Nos.10055 and 10061 of 2023

G.ILANGO VAN, J.,

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Crl.O.P.(MD)Nos.10055 and 10061 of 2023

09.06.2023