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Crl.O.P.(MD)No.10332 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.06.2023**

CORAM:

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

Crl.O.P.(MD) No.10332 of 2023

in

Crl.M.P(MD) no.8239 of 2023

Kumar @ Guhan Kumar

... petitioner / Sole Accused

Vs.

1. The Inspector of Police,
Town Police Station,
Thanjavur.

...1st Respondent/Complainant

2. Malliga

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the FIR in Crime No.7 of 2023 dated 02.01.2023 for the alleged offences under section 294(b), 323, 427 and 506(ii) of Indian Penal Code and Section 4 of TNPHW Act on the file of the 1st respondent.

For Petitioner : Mr. Mohamed Sherbudeen M

For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor

For R2 : Mr.S.Ashok



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ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No.7 of 2023 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.7 of 2023 for the offences punishable under Sections 294(b), 323, 427 and 506(ii) of Indian Penal Code and Section 4 of TNPHW Act 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 learned Additional Public Prosecutor would submit that the petitioner is having ten previous cases at his credit and History Sheet in H.S.No.204 of 2018 is also maintained in the respondent Police against the petitioner.



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5. But however, the defacto complainant is present before this Court and stated that she is a flower vendor, who is conducted a business in a street and damage has been caused to her flower shop by the petitioner and she was scolded using filthy language and also threatened with dire consequences by the petitioner.

6.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 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.

7.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 12.06.2023, 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.7 of 2023 pending on the file of the 1st respondent police is quashed and the compromise memo is recorded.



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7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.7 of 2023, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order. Consequently, the connected Miscellaneous Case is closed.

14.06.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Inspector of Police,
Town Police Station,
Thanjavur.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

Indu

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