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Crl.O.P.(MD)No.10745 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.06.2023**

CORAM:

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

Crl.O.P.(MD) No.10745 of 2023

Arul Stephan

... Petitioner / Accused

Vs.

1. State rep. by the
The Sub Inspector of Police,
Colachel,
Kanyakumari District.
(Crime No.312 of 2019)

2.Babin Deva

.. Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for records pertaining to FIR in Crime No.312 of 2019 under Sections 147, 148, 294(b), 324, 506(ii) IPC on the file of the 1st respondent police and quash the same.

For petitioner : Mr. D. Balamurugapandi

For R1 : Mr.S.Manikandan
Government Advocate (Crl. Side)

For R2 : Mr. J. Venkatesan



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ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.312 of 2019 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.312 of 2019 for the offences punishable under Sections 147, 148, 294(b), 324 and 506(ii) of IPC, 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 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 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.

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5.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 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.312 of 2019 pending on the file of the 1st respondent police in respect of this petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.312 of 2019, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioner. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

23.06.2023

Index : Yes/No
Internet : Yes/No
trp



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To

- 1.The Sub Inspector of Police,
Colachel,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

trp

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