



Crl.O.P.(MD).No.11754 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.11754 of 2023
and Crl.M.P.(MD).No.9272 of 2023

1. Nallusamy
2. Kumarasamy
3. Nalini
4. Moorthy

... Petitioners

Vs.

- 1.The State through the Deputy Superintendent of Police,
Vangal Police Station,
Karur District,
(Crime No.440/2022)

- 2.Sutha

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the proceedings in Spl.S.C.No.8/2023 pending on the file of the learned Principal District and Sessions Court Karur and quash the same.

For Petitioners : Mr.J.Senthil Kumaraiah

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)



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ORDER

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This Criminal Original Petition is filed to call for the records relating to the proceedings in Spl.S.C.No.8/2023 pending on the file of the learned Principal District and Sessions Court Karur and quash the same.

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.440 of 2022 for the offences punishable under Sections 294(b) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 and Section 3(1)(m), 3(1)(r) of SC/ST (POA) Amendment Act, 2015, 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.



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4. On 30.06.2023, 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 the terms of compromise. Hence, the Compromise Memo was recorded. For reporting compliance with regard to the remittance of the compensation amount received by the defacto complainant, the matter is listed today (17.11.2023). The remittance challan has been produced and the same 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 memo, dated 17.07.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Spl.S.C.No.8/2023 pending on the file of the learned Principal District and Sessions Judge, Karur, is quashed and the compromise memo is recorded.



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6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Spl.S.C.No.8/2023 pending on the file of the learned Principal District and Sessions Judge, Karur, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

17.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Deputy Superintendent of Police,
Vangal Police Station, Karur District, (Crime No.440/2022)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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