



Crl.O.P.(MD) No.11289 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

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1. Kaithe Millath
2. Yasar Arapath
3. Saiyullah@mohamed Sabiyullah
4. Umarkatha
5. Kaleel Rahman@kalil Rahuman

... Petitioners

Vs

1. The Sub Inspector of Police,
Thiruppalaikudi Police Station,
Ramanathapuram District.
2. Kalil Rahuman

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court, call for the records of the complaint in CC.No.184 of 2023 on the file of the learned Judicial Magistrate, Thiruvadanai, for the alleged offences under Sections 147,148,448,294(b),427,323,506(1), 109 of IPC and quash the same.



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For Petitioners : Mr. Kalantar Aasik Ahamadu I

For R1 : Mr.B.Nambiselvam
Additional Public Prosecutor

For R2 : Mr.S.Kamaraj

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.184 of 2023 on the file of the learned Judicial Magistrate, Thiruvadanai .

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.182 of 2021 for the offences punishable under Sections 147,148,448,294(b),427,323,506(1), 109 of IPC, against the petitioners. It appears that there is a issue between the members of jamath.

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.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. Though the learned Additional Public Prosecutor stated that the petitioners are having previous cases, the issue is between the members of Jamath.

5.Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

6.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 23.06.2023, 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 C.C.No.184 of 2023 pending on the file of the learned Judicial Magistrate, Thiruvadanai in respect of the petitioners.



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7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.184 of 2023, pending on the file of the learned Judicial Magistrate, Thiruvadanai is hereby quashed in respect of the petitioners alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

28.06.2023

NCS : Yes/No
Index : Yes / No
Internet: Yes/ No
PNM

To

1. The Judicial Magistrate, Thiruvadanai
2. The Sub Inspector of Police,
Thiruppalaikudi Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.

PNM

ORDER IN
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