



Crl.O.P.(MD)No.11430 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.11430 of 2023

1. Karuppasamy

2. Pandi

3.Ponnusamy

Rajasekaran (died)

4. Nallusamy

5. Parvati

6. Vimala

7. Muthupandi

..... Petitioner/ Accused Nos.2,3,4 to 10

Vs.

1.The State Representation by
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Crime No. 215 of 2012)

..... 1st Respondent/ Complainant

2. Amalraj

..... 2nd Respondent/ De-facto Complainant



Crl.O.P.(MD)No.11430 of 2023

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the Chargesheet in S.C.No.8 of 2020 on the file of the Chief Judicial Magistrate, Sivagangai u/s. 147, 148, 294(b), 323, 324, 326, 307 of I.P.C. r/w. Of Section 149 of IPC and Quash the same.

For Petitioner : M/s.V.Kannan

For R1 : Mr. B. Nambiselvan
Additional Public Prosecutor

For R2 : Mr. A.Kathirvel

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in S.C.No.8 of 2020 pending on the file of the Chief Judicial Magistrate, Sivagangai.

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.215 of 2012 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 326, 307 of IPC, against the petitioners. It appears that there is a issue between the family members.



Crl.O.P.(MD)No.11430 of 2023

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 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 petitioner 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 S.C.No. 8 of 2020 pending on the file of the Chief Judicial Magistrate, Sivagangai, in respect of the petitioners. One Ayyammal is present before this Court. Panjavarnam is the grand mother of the said Ayyammal, who is not present today before this Court due to her old age.



Crl.O.P.(MD)No.11430 of 2023

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.C.No. 8 of 2020 pending on the file of the learned Chief Judicial Magistrate, Sivagangai, is hereby quashed in respect of the petitioner alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

30.06.2023

Index : Yes/No
Internet:Yes/No

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To

1. The Chief Judicial Magistrate,
Sivagangai.
2. The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.11430 of 2023

G.ILANGO VAN, J.,

pnn

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