



Crl.O.P.(MD) No.13701 of 2022 & 51 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD) Nos.13701 of 2022 and 51 of 2023

and

Crl.M.P.(MD)Nos.8747 of 2022 and 51 of 2023

Ochubalu

...Petitioner in Crl.O.P.(MD)No.13701/ 2022

M.Prabhakaran

... Petitioner in Crl.O.P.(MD)No.51/ 2023

Vs.

1.The State rep.by

The Sub Inspector of Police,
C-5, Karimedu Police Station (Crime),
Madurai City, Madurai.
(Crime No.1947 of 2011)

2.N.B.Kumar

..Respondents in Crl.O.P.(MD)No.13701/ 2022

1.The State rep.by

The Inspector of Police,
C-5, Karimedu Police Station (Law & Order),
Madurai City, Madurai.
(Crime No.1947 of 2011)

2.N.B.Kumar

... Respondents in Crl.O.P.(MD)No.51/ 2023



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COMMON PRAYER : Criminal Original Petitions are filed under Section 482 of Cr.P.C, to call for the records relating to FIR in Crime No.1947 of 2011 on the file of the first respondent police in both petitions and quash the same as illegal insofar as the petitioners are concerned.

In Crl.O.P.(MD)No.13701/ 2022

For Petitioner : Mr.K.Kubendran
For R1 : Mr.SS.Madhavan
Government Advocate (Crl.side)
For R2 : Mr.K.Prabhu

In Crl.O.P.(MD)No.51/ 2023:

For Petitioner : Mr.R.Anand
For R1 : Mr.SS.Madhavan
Government Advocate (Crl.side)
For R2 : Mr.K.Prabhu

COMMON ORDER

These petitions are filed seeking quashment of the FIR in Crime No.1947 of 2011 on the file of the 1st respondent police registered against the petitioners in both petitions for the offences punishable under Sections 147, 148, 341, 294(b), 465, 420 and 506(i) IPC.



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2.Since these petitions are filed seeking quashment of the very same FIR, these petitions are heard together and disposed of by this common order.

3.During the course of the submissions, the learned counsel for the petitioners in both the petitions submitted that the defacto complainant and the petitioners have settled the matter out of the Court and the defacto complainant has given a representation to the respondent Police to close the further proceedings.

4.The learned counsel for the defacto complainant has submitted that compromise talks are still not concluded.

5.The learned Government Advocate (Crl.side) for the 1st respondent in both the petitions, on the other hand, has submitted that if both the petitioners and the defacto complainant file representations before the Investigating Officer, the same will be considered and closed.



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6.Considering the submissions made on either side, these Criminal Original Petitions are disposed of, directing the petitioners and the defacto complainant to submit their respective representations to the respondent Police, within a period of one week from the date of receipt of a copy of this order, on which, the respondent Police are directed to consider and dispose of the same within a period of two weeks thereafter. Consequently, connected miscellaneous petitions are closed.

18.08.2023

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

Yuva

To

1. The Sub Inspector of Police,
C-5, Karimedu Police Station (Crime),
Madurai City, Madurai.
- 2.The Inspector of Police,
C-5, Karimedu Police Station (Law & Order),
Madurai City, Madurai.



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3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

Yuva

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