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Crl.O.P.(MD)No.13624 of 2022

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 12.10.2023**

**CORAM:**

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

**Crl.O.P.(MD) No.13624 of 2022**  
**and Crl.M.P(MD)No.8695 of 2022**

S.Ganesh

... Petitioner

Vs

1. The Inspector of Police,  
B-5, South Gate Police Station,  
Madurai City. Cr.No.111/2021.

2. M.David

... Respondents

**PRAYER:** Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in C.C.No.714/2022 on the file of J.M. No.Iv Madurai and quash the same.

For petitioner : Mr.S.Kumar

For R1 : Mr.M.Vaikkam Karunanithi  
Government Advocate (Crl.Side)

For R2 : Mr.S.Selvakrishnan



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### **ORDER**

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.714 of 2022 on the file of the learned Judicial Magistrate No.IV, Madurai.

2.The contention of the petitioner is that based on the complaint lodged by the 2<sup>nd</sup> respondent, the 1<sup>st</sup> respondent registered the First Information Report in Crime No.111 of 2021 for the offences punishable under Section 304(A) of IPC, against the petitioner.

3.The further contention of the petitioner is that he compromised the issue with the 2<sup>nd</sup> respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the 2<sup>nd</sup> respondent and also by their respective counsels.

4.The petitioner and the 2<sup>nd</sup> respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were identified by the learned Government Advocate (Crl.Side) and the Investigation Officer. They were also appeared before the High Court Legal Services Committee, Madurai. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the



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Compromise Memo is recorded.

5.Though the offence under Section 304(A) IPC is a non-compoundable offence, the compensation paid by the petitioner to the second respondent, considering the totality of the circumstances, nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, 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.714 of 2022 pending on the file of the learned Judicial Magistrate No.IV, Madurai in respect of the petitioner .

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.714 of 2022, pending on the file of the learned Judicial Magistrate No.IV, Madurai 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. Consequently, connected miscellaneous petition is closed.

**12.10.2023**

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



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To

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1.The Judicial Magistrate No.IV, Madurai.

2. The Inspector of Police,  
B-5, South Gate Police Station,  
Madurai City. Cr.No.111/2021.

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



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**G.ILANGOVA. J.**

PNM

ORDER IN  
**Crl.O.P.(MD)No.13624 of 2022**  
**and Crl.M.P(MD)No.8695 of 2022**

**12.10.2023**