



Crl.O.P.(MD)No.11513 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

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Karthick

.... Petitioner / Sole Accused

Vs.

1. The Inspector of Police,
Samayanallur Police Station,
Samayanallur, Madurai.
(Crime No. 328/2018)

..... 1st Respondent / Complainant

2. Karthigaikumaran

..... 2nd Respondent / de-fact Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the charge sheet in C.C. No. 35/2021 on the file of the learned Judicial Magistrate Vadipatti, Madurai and quash the same as illegal.

For Petitioner : M/s. B.Vinothkumar

For R1 : Mr. B. Nambiselvan
Additional Public Prosecutor

For R2 : Mr.S.Arjun



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C. No. 35/2021 on the file of the learned Judicial Magistrate Vadipatti, Madurai.

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.328 of 2018 for the offences punishable under Sections 294(b), 323, 324, 506(ii) of IPC, against the petitioner.

3.It is submitted by the learned Additional Public Prosecutor that when the accused person was driving in a rash and negligent manner, the defacto complainant has questioned him, the occurrence were took place. It is further submitted that the accused in this case is having twelve previous cases.

4.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 petitioners and the 2nd respondent and also by their respective counsels.

5.The petitioners and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They were



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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.

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 20.06.2023, 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. 35/2021 on the file of the learned Judicial Magistrate Vadipatti, Madurai, in respect of the petitioner.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C. No. 35/2021 on the file of the learned Judicial Magistrate Vadipatti, Madurai, 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.

27.06.2023

NCC : Yes / No

Index : Yes/No

Internet:Yes/No

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G.ILANGOVAN, J.,

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To

- 1.The Judicial Magistrate, Vadipatti, Madurai.
2. The Inspector of Police, Samayanallur Police Station,
Samayanallur, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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