



CrI.O.P.(MD)No.11585 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.11585 of 2023

Sathiyamoorthy

..... Petitioner/Sole Accused

Vs.

1. The State Representation by its
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.13 of 2023)

..... 1st Respondent/ Complainant

2. Lakshmi

..... 2nd Respondent/ Defacto – Complainant

3. Mathavan

..... 3rd Respondent/ Victim

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to charge sheet in P.R.C.No 17 of 2023 on the file of the Judicial Magistrate, Thiruchuli and Quash the same.

For Petitioner

: M/s. D.S.Haroon Rasheed

For R1

: Mr. B. Nambiselvan
Additional Public Prosecutor

For R2 & R3

: Mr. A.Balaji



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ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in P.R.C.No 17 of 2023 on the file of the Judicial Magistrate, Thiruchuli.

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.13 of 2023 for the offences punishable under Sections 294(b) and 307 of IPC, against the petitioner. It appears that there is a small issue between the parties.

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.



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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 Nil, 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 P.R.C.No 17 of 2023 on the file of the Judicial Magistrate, Thiruchuli, in respect of the petitioner. Eventhough the offence under Section 307 of IPC is alleged in the FIR, perusal of the charge sheet reveals that the injuries are simple in nature.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in P.R.C.No 17 of 2023 on the file of the Judicial Magistrate, Thiruchuli, 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.ILANGO VAN, J.,

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To

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

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