



Crl.O.P.(MD)No. 11544 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.06.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No. 11544 of 2023

1. Rethinam
2. Kuttan @ Ajith
3. Veerasami @ Veerapandi

... Petitioners/Accused No 1,2 and 3

Vs.

1. The State represented by
The Inspector of Police
Orathanadu Police station,
Thanjavur District.
(Crime No 771/2021).

... Respondent/Complainant

2. Suresh

... Respondent/Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the case in Crime No.771 of 2021 on the file of the 1st respondent police and quash the same.



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For Petitioner : Mr. M. Pitchai Muthu
For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor
For R2 : Mr. A. Mohammed Arief

ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.771 of 2021 on the file of the 1st respondent police.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.771 of 2021 for the offences punishable under Sections 341, 294(b), 324 and 506(ii) of IPC, against the petitioners.

3.The further contention of the petitioners 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.



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4.The petitioners 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 Government Advocate (Crl. side) 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. Learned Additional Public Prosecutor would submit that the second petitioner is having three previous cases in similar nature.

6. Considering the nature of the offences in the previous cases and 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 27.06.2023, 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 Crime No.771 of 2021 pending on the file of the 1st respondent police in respect of this petitioners.



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7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.771 of 2021, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners. 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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To

1. The State represented by
The Inspector of Police
Orathanadu Police station,
Thanjavur District.
(Crime No 771/2021)
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J

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Order made in

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