



Crl.O.P.(MD) No.14823 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.14823 of 2023

and

Crl.M.(MD) Nos.11719, 11720 and 10993 of 2023

1.Jeyachandran

2.Poonga

3.Murugan

4.Ebiprabhakaran @ Prabhakaran

5.Veerendrasewak

...Petitioners / Accused 1 to 5

Vs.

1.State rep. by,

The Inspector of Police,

AWPS, Usilampatti Police Station,

Madurai District.

(In Crime No.02/2023)

...1st Respondent / Complainant

2.Harinidevi

...2nd Respondent / Defacto Complainant



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to Call for the records pertaining to the impugned order in P.R.C No.6/2023 on the file of the District Munsif cum Judicial Magistrate-I, Usilampatti and quash the same as far as the petitioners are concerned.

For Petitioner :Mr.S.Ramsundarvijayraj
For R1 :Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)
For R2 :Mr.Alagia Nambi

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in P.R.C.No.6 of 2023 on the file of the District Munsif cum Judicial Magistrate-I, Usilampatti.

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.02 of 2023 for the offences punishable under Sections 417, 376 and 506(i) IPC, against the petitioners.



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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.

4. Even though the matter has been compromised between the parties, considering the serious allegations made against the first accused, he is not entitled for quashment on the basis of the compromise. So far others are concerned, they are parents and relatives of the first accused, considering the limited overt act attributed against them, this petition is liable to be allowed against the petitioners No.2 to 5.

5. 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 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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6. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners No.2 to 5 and also in view of the joint compromise memo, dated 11.09.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, this petition is allowed in respect of the petitioners No.2 to 5 and all further proceedings against the petitioners No.2 to 5 in P.R.C.No.6 of 2023 on the file of the District Munsif cum Judicial Magistrate-I, Usilampatti, is quashed and the compromise memo is recorded.

7. So far as the first petitioner is concerned, this petition is dismissed and he has to undergo the trial process. Let the above said committal process be completed within a month from the date of receipt of copy of this order. Thereafter, the trial must be completed within three months by the concerned trial Court.

8. With the above said direction, the Criminal Original Petition stands partly allowed and the entire proceedings in P.R.C.No.6 of 2023 on the file of the District Munsif cum Judicial Magistrate-I, Usilampatti is hereby quashed in



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respect of the petitioners No.2 to 5 and the terms of joint compromise memo shall form part of this order. Consequently, the connected Miscellaneous Petitions are allowed.

17.10.2023

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

Indu

To

1.State rep. by,

The Inspector of Police,
AWPS, Usilampatti Police Station,
Madurai District.
(In Crime No.02/2023)

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



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G.ILANGOVAN. J.

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