



Crl.O.P.(MD) Nos.15033 and 15102 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)Nos.15033 and 15102 of 2023

and

Crl.M.P.(MD)Nos.11906 and 11961 of 2023

1.Kali Muthu

2.Chinna Kumar

3.Anna Lakshmi

...Petitioners / Accused Nos.1 to 3

Vs.

1.The State rep. by its,
The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
(In Crime No.268/2023)

...1st Respondent / Investigation Officer

2.Sivanantham

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records in relating to the impugned FIR in Crime No.268 of 2023 on the file of the 1st respondent and to quash the same.

For Petitioner :Mr.S.Vidhya Sagar

For Respondent :Mr.M.Sakthi Kumar for R1

Government Advocate (Crl. Side)

:Mr. M.S.Jeyakarthik for R2



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Crl.O.P(MD)No.15102 of 2023

Sivanantham

...Petitioner / Sole Accused

Vs.

1.The State rep. by its,
The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
(In Crime No.267/2023)

...1st Respondent / Investigation Officer

2.Kali Muthu

...2nd Respondent / Defacto Complainant

3.Anna Lakshmi

...3rd Respondent / Another Victim

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records in relating to the impugned FIR in Crime No.267 of 2023 on the file of the 1st respondent and to quash the same.

For Petitioner :Mr.M.S.Jeyakarthik

For Respondent :Mr.M.Sakthi Kumar for R1
Government Advocate (Crl. Side)

:Mr.S.Vidhya Sagar for R2



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COMMON ORDER

These Criminal Original Petitions have been filed seeking to call for the entire records in relating to the impugned FIR in Crime Nos.267 and 268 of 2023 on the file of the 1st respondent and to quash the same.

2. Learned counsel for the petitioners submitted that charge sheets have been filed in C.C.No.1826 of 2023 in Crime No.267 of 2023 and in C.C.No.1827 of 2023 in Crime No.268 of 2023 before the Additional Mahila Court (JM Level), Madurai.

3.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent in both cases, the 1st respondent registered the First Information Report in Crime No.267 of 2023, for the offences punishable under Sections 294(b), 323 and 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 and in Crime No.268 of 2023 for the offences punishable under Section 294(b), 323 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against the petitioners. It appears that it is a case, case in counter filed by both parties.



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4.The further contention of the petitioners is that they compromised the issue with the 2nd respondent in both cases amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 2nd respondent in both cases and also by their respective counsels.

5.The petitioners and the 2nd respondent in both cases 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.

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 25.07.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.Nos. 1826 and 1827 of 2023 pending on the file of the Additional Mahila Court (JM Level), Madurai, is quashed and the compromise memo is recorded.



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7.In the result, the Criminal Original Petitions stand allowed and the entire proceedings in C.C.Nos.1826 and 1827 of 2023 pending on the file of the Additional Mahila Court (JM Level), Madurai, are hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

19.10.2023

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

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To

- 1.The Inspector of Police,
Subramaniapuram Police Station,
Madurai City.
(In Crime Nos.267 and 268 of 2023)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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