



Crl.O.P.(MD) No.14948 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.14948 of 2023

Marutha Raj

...Petitioner / Accused

Vs.

1.State through,
The Inspector of Police,
Melur Police Station,
Madurai District.
(In Crime No.792 of 2021)

...Respondent / Complainant

2.Raja

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in pertaining to C.C. No.145 of 2022 on the file of the Judicial Magistrate Court, Melur and quash the same.

For Petitioner :Mr.S.Raj Mohamed

For Respondent :Mr.M.Sakthi Kumar for R1
Government Advocate (Crl. Side)
:Mr.A.Mani for R2



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.145 of 2022 on the file of the learned Judicial Magistrate, Melur, Madurai District.

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.792 of 2022 for the offences punishable under Sections 279, 337 of IPC altered into 379 and 304(A) of IPC, against the petitioner.

3.It is the prosecution case that the deceased is the mother-in-law of this petitioner. When she was taken as a pillion rider by this petitioner, he drove the vehicle in a rash and negligent manner and hit against the centre median. In the above said process, the deceased fell down, sustained injuries, later succumbed injuries. Hence, this case has been registered. It appears that both are close relatives.

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 petitioner and the 2nd respondent and also by



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5.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 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.

6.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, 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.145 of 2022 pending on the file of the learned Judicial Magistrate, Melur, Madurai District in respect of the petitioner.

7.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.145 of 2022, pending on the file of the learned Judicial Magistrate, Melur, Madurai District is hereby quashed in respect of the petitioner



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alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

12.10.2023

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

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To

1. The Inspector of Police,
Melur Police Station,
Madurai District.
(In Crime No.792 of 2021)
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

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