



Crl.O.P.(MD) No.15886 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.ILANGOVAN

Crl.O.P.(MD)No.15886 of 2023

1.Tamilraja

2.Santhana Pattu Raja

3.Sabarethinam

...Petitioners / Accused No.1 to 3

Vs.

1.The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(In Crime No.71/2022)

...Respondent / Complainant

2.Ragu

...2nd Respondent / Defacto Complainant

3.Sukin

4.Kabilraj

5.Maheswaran

6.Johnson

7.Lingapandi

8.Rameshbabu

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WEB CRYM 9.Sudar

10.Muthuramalingam

11.Sutharsan

12.Suyambulingam

...Respondents 3 to 12 / Victims

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the charge sheet in C.C. No.304/2023 on the file of Judicial Magistrate Court, Radhapuram and quash the same against the petitioner's concern.

For Petitioner :Mr.C.Susi Kumar

For Respondent :Mr.M.Vaikkam Karunanithi for R1
Government Advocate (Crl. Side)

:Mr.R.Maheswaran for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.304 of 2023 on the file of the Judicial Magistrate Court, Radhapuram.

2. The contention of the petitioners is that based on the complaint lodged



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by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.71 of 2022 for the offences punishable under Sections 384, 420 and 506(i) of IPC, against the petitioners. It appears that it is a dispute between the contractor and the employee. A complaint has been given as if the accused persons have misappropriated and cheated the victims' money.

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. Now it has been compromised between the parties and the victims have retaken into employment.

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 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 petitioners and also in view of the joint compromise memo, dated 21.06.2023, 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.No.304 of 2023 pending on the file of the learned Judicial Magistrate Court, Radhapuram, is quashed and the compromise memo is recorded.

6. In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.304 of 2023 pending on the file of the learned Judicial Magistrate Court, Radhapuram, is 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 Judicial Magistrate Court, Radhapuram.
- 2.The Inspector of Police, Koodankulam Police Station, Tirunelveli District.
(In Crime No.71/2022)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

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