



Crl.O.P.(MD).Nos.15478 and 15480 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:12.12.2023

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THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)Nos.15478 and 15480 of 2023

Crl.O.P.(MD).No.15478 of 2023

Prabhu

... Petitioner

Vs.

1.State Rep.by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram,
Ramanathapuram District.
(In Crime No.542/2020)

2.Vijay

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to pass an order to call for the records pertaining to FIR in Crime No. 542/2020 u/s 294(b), 506(2) of IPC and 3(1) of Tamil Nadu Public Property (Prevents of Damage and Loss) Act 1992 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.T.Venkatesan

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

For R2 : Mr.D.Balamurugapandi



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1. Vijay @ Viji
2. Gunasekaran
3. Jegadeesh

... Petitioners

Vs.

- 1.State Rep.by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram,
Ramanathapuram District.
(In Crime No.664/2020)

- 2.Prabhu

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to CC No. 191/2022, on the file of Judicial Magistrate Court No.II, Ramanathapuram in CC No.191/2022, U/s.294(b), 324, 56(2), 323 of IPC on the file of Judicial Magistrate Court No.II, Ramanathapuram, quash the same.

For Petitioners : Mr.D.Balamurugapandi

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

For R2 : Mr.T.Venkatesan



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COMMON ORDER

These Criminal Original Petition are filed to call for the records pertaining to FIR in Crime No. 542/2020 on the file of the 1st respondent police and the proceedings in CC No.191/2022, on the file of Judicial Magistrate Court No.II, Ramanathapuram and quash the same.

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.542 of 2020 for the offences punishable under Sections 294(b), 506(2) of IPC and Section 3(1) of Tamil nadu Public Property (Prevention of Damage and Loss) Act, 1992 and in Crime No.664 of 2020 for the offences under Section 294(b), 324, 506(2) and 323 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. It is a case,



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case in counter. With regard to the damage it is submitted by the defacto complainant in Crl.O.P(MD)No.15480 of 2023, that the damages have been repaired by the accused persons.

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.

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 11.09.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No. 542/2020 on the file of the 1st respondent police and the proceedings in CC No.191/2022, on the file of Judicial Magistrate Court No.II, Ramanathapuram, are quashed and the compromise memo is recorded.



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6.In the result, the Criminal Original Petitions are allowed and the entire proceedings in Crime No. 542/2020 on the file of the 1st respondent police and the proceedings in CC No.191/2022, on the file of Judicial Magistrate Court No.II, Ramanathapuram, are hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

12.12.2023

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

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To

- 1.The Judicial Magistrate Court No.II, Ramanathapuram.
- 2.The Inspector of Police, Kenikkarai Police Station,
Ramanathapuram, Ramanathapuram District. (In Crime No.542/2020)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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