



Crl.O.P.(MD) No.16106 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2023

CORAM:

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

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Malaichamy

...Petitioner / 1st Accused

Vs.

1.The State rep. by its,
The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(In Crime No.320 of 2019)

...1st Respondent / Complainant

2.Murugan

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to pass an order of Quash, to call for the entire records in relating to the impugned charge sheet in C.C. No.30 of 2020 on the file of the Learned District Munsif Court cum Judicial Magistrate Court, Ilayangudi and to quash the same in so far as the petitioner is concerned.

For Petitioner :Mr.M.S.Jeyakarthik

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



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ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.30 of 2020 on the file of the learned District Munsif cum Judicial Magistrate, Ilayangudi.

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.320 of 2019 for the offences punishable under Sections 147, 148, 294(b), 323, 324 & 506(ii) of IPC, against the petitioner.

3.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 their respective counsels.

4.The petitioner and the 2nd respondent appeared before this Court along



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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 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.30 of 2020 pending on the file of the learned District Munsif cum Judicial Magistrate, Ilayangudi in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.30 of 2020, pending on the file of the learned District Munsif cum Judicial Magistrate, Ilayangudi is hereby quashed in respect of the petitioner alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

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

TM

To

- 1.The District Munsif cum Judicial Magistrate, Ilayangudi, Sivagangai District.
- 2.The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(In Crime No.320 of 2019)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

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