



Crl.O.P.(MD)No.15678 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.10.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.15678 of 2023

and

Crl.M.P(MD) No.12459 of 2023

1.R.Suriya

2.R.Vijay @ Vijay Sankar

... Petitioners / Accused No.1 & 2

Vs.

1.The State Rep by.,

The Inspector of Police,
Thenkarai Police Station,
Theni District.

(In Crime No.29 of 2023)

...1st Respondent / Complainant

2.P.Kalishwaran

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in proceeding in C.C. No.114 of 2023 on the file of learned Judicial Magistrate Court, Periyakulam, in connection with Crime No.29 of 2023 on the file of the respondent Police for the offence under Sections 294(b), 324 & 506(i) of IPC and quash the same.



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Crl.O.P.(MD)No.15678 of 2023

For Petitioner : Mr.J.Sulthan Basha
For R1 : Mr.M.Vaikkam Karunanithi for R1
Government Advocate (Crl.Side).
For R2 : Mr.K.M.Karunakaran

ORDER

This Criminal Original Petition has been filed to call for the records in proceeding in C.C. No.114 of 2023 on the file of learned Judicial Magistrate Court, Periyakulam, in connection with Crime No.29 of 2023 on the file of the respondent Police for the offence under Sections 294(b), 324 & 506(i) of IPC 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.29 of 2023 for the offences punishable under Sections 294(b), 324 & 506(i) 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



Crl.O.P.(MD)No.15678 of 2023

and the 2nd respondent and also by their respective counsels.

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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 31.08.2023, 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.114 of 2023 pending on the file of the learned Judicial Magistrate Court, Periyakulam, is quashed in respect of the petitioners and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.114 of 2023, pending on the file of the



Crl.O.P.(MD)No.15678 of 2023

learned Judicial Magistrate Court, Periyakulam is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, the connected Miscellaneous Petition is closed.

05.10.2023

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

Indu

TO

- 1.The Judicial Magistrate Court, Periyakulam.
- 2.The State Rep by.,
The Inspector of Police,
Thenkarai Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.15678 of 2023

G.ILANGO VAN,J.

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Order made in
Crl.O.P.(MD)No.15678 of 2023

Dated: 05.10.2023