



*Crl.O.P.(MD) No.15858 of 2023*

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.ILANGO VAN

**Crl.O.P.(MD)No.15858 of 2023**

**and**

**Crl.M.P(MD)No.12602 of 2023**

Sivakumar

...Petitioner / Accused No.2

Vs.

1.The State rep. by its,  
The Inspector of Police,  
Kumbakonam West Police Station,  
Thanjavur Dsitric.  
(In Crime No.245/2023)

...1<sup>st</sup> Respondent / Complainant

2.Sampath Kumar

...2<sup>nd</sup> Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the proceedings in Crime No.245 of 2023 dated 25.04.2023 on the file of the 1<sup>st</sup> Respondent Police and quash the same as it has no prima facie case as against the petitioner herein.

For Petitioner :Mr.P.R.Boomee Rajan

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

:Mr.J.Yesu Subanth for R2



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### **ORDER**

This petition has been filed seeking to quash the impugned FIR in Crime No.245 of 2023 on the file of the 1<sup>st</sup> respondent police.

2. The contention of the petitioners is that based on the complaint lodged by the 2<sup>nd</sup> respondent, the 1<sup>st</sup> respondent registered the First Information Report in Crime No.245 of 2023 for the offences punishable under Sections 407, 413, 120(b) and 506(ii) of IPC against the petitioner.

3. The further contention of the petitioner is that they compromised the issue with the 2<sup>nd</sup> respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioner and the 2<sup>nd</sup> respondent and also by their respective counsels.

4. The petitioner and the 2<sup>nd</sup> 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 petitioner and also in view of the joint compromise memo, dated 04.09.2023, 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.245 of 2023 pending on the file of the 1<sup>st</sup> respondent police is quashed and the compromise memo is recorded.

6. In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.245 of 2023, pending on the file of the 1<sup>st</sup> respondent police is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petition is closed.

**19.10.2023**

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

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**G.ILANGOVAN. J.**

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To

- 1.The Inspector of Police, Kumbakonam West Police Station,  
Thanjavur Dsitriect. (In Crime No.245/2023)
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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