



Crl.O.P.(MD)No.15842 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.15842 of 2023

1. Sadhiq Badusha @ Sathik Badhusha Alais Sathik
 2. Shahul Hameed Badusha @ Sakul Hameed Badhusha Alias Salin
 3. Arif Ali Alais Kutta Arif
 4. Hyder Ali Haneef @ Hyder Ali Hanif
 5. A.Mydeen Asiq Elahi @ Mydeen Ashik Elaki
- ... Petitioners

Vs

1. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District, Crime No.128/2018.
 2. Sheik Seyad Ali
 3. Mydeen Ismail
- ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, calling the records pertaining to C.C.No.429 of 2020 on the file of the learned Judicial Magistrate No.V, Tirunelveli and quash the same as against this petitioners.



WEB COPY



Crl.O.P.(MD)No.15842 of 2023

For petitioners : Mr.A.Abdul Kabur
For R1 : Mr.M.Sakthikumar
Government Advocate (Crl.Side)
For R2,R3 : Mr.K.Sathiyendran

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.429 of 2020 on the file of the learned Judicial Magistrate No.V, Tirunelveli .

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.128 of 2018 for the offences punishable under Sections 147, 294(b), 324, 323, 506(ii) of IPC, against the petitioners. It appears that there is a small issue between the parties.

3.The further contention of the petitioners is that they compromised the issue with the 2nd and 3rd respondents amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 2nd and 3rd respondents and also by their respective counsels.



WEB COPY

4.The petitioner Nos. 2,5 and the 2nd and 3rd respondents appeared before this Court along with their counsels and also produced their Aadhar cards. They were also appeared before the High Court Legal Services Committee, Madurai. They were also identified by the learned Government Advocate (CrI.Side) and the Investigation Officer. The petitioner Nos.1, 3 and 4 appeared through Video Conference, identified by counsels on record on both sides. All 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, 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.429 of 2020 pending on the file of the learned Judicial Magistrate No.V, Tirunelveli in respect of the petitioners .

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.429 of 2020, pending on the file of the learned Judicial Magistrate No.V, Tirunelveli is hereby quashed in



Crl.O.P.(MD)No.15842 of 2023

respect of the petitioners alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

09.10.2023

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

To

- 1.The Judicial Magistrate No.V, Tirunelveli .
2. The Sub Inspector of Police,
Pazhavur Police Station, Pazhavor,
Tirunelveli District. (Crime No.273/2022).
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.15842 of 2023

G.ILANGOVAN. J.

PNM

ORDER IN
CrI.O.P.(MD)No.15842 of 2023

09.10.2023