



Crl.O.P.(MD).No.21378 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.21378 of 2023

1.Saravanan

2.Mariyadevaraj

... Petitioners/Accused No.1&2

Vs.

1. State represented by

The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari.

(Crime No.287 of 2022) ... 1st Respondent/Complainant

2.Simson

... 2nd Respondent/Defacto complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the charge sheet in C.C.No.156 of 2023 on the file of the Judicial Magistrate Court No.I, Nagercoil and quash the same.

For Petitioners : Mr.K.Rajeswaran

For R 1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

For R2 : Mr.C.Jeganathan



Crl.O.P.(MD).No.21378 of 2023

ORDER

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This Criminal Original Petition is filed seeking quashment of proceedings in C.C.No.156 of 2023 on the file of the Judicial Magistrate Court No.I, Nagercoil, in connection with Crime No.287 of 2022 on the file of the 1st Respondent Police.

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.287 of 2022 for the offences punishable under Sections 294(b), 341, 392 and 506(ii) 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.

4.The petitioners and the 2nd respondent appeared before this Court along with their counsels and also produced their Aadhar cards. They



Crl.O.P.(MD).No.21378 of 2023

were also identified by the learned Government Advocate (Crl.Side) 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 04.12.2023, 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.156 of 2023 pending on the file of the Judicial Magistrate Court No.I, Nagercoil, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.156 of 2023 pending on the file of the Judicial Magistrate Court No.I, Nagercoil, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

18.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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3/4



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Crl.O.P.(MD).No.21378 of 2023

G.ILANGOVAN,J.

dss

To

- 1.The Judicial Magistrate Court No.I,
Nagercoil,
2. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD).No.21378 of 2023

18.12.2023