



Crl.O.P.(MD) No.16908 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2023

CORAM:

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

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Sudhakaran

...Petitioner / Accused No.2

Vs.

1.State rep. by,
The Sub Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
(In Crime No.434 of 2021)

...1st Respondent / Respondent

2.Balasubramanian

...2nd Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the impugned charge sheet in STC No.629 of 2022 pending on the file of the learned Judicial Magistrate, Ambasamudram in connection with the Crime No.434/2021 on the file of the 1st Respondent and quash the same.



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For Petitioner :Mr.S.Vishnuvardhan
For Respondent :Mr.M.Sakthi Kumar for R1
Government Advocate (Crl. Side)
:Mr.G.Sailendra babu for R2

ORDER

This Criminal Original Petition has been filed seeking to quash the charge sheet in S.T.C.No.629 of 2022 on the file of the learned Judicial Magistrate, Ambasamudram.

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.434 of 2021 for the offences punishable under Sections 279, 337 of IPC altered into 294(b), 323, 427, 506(i) 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.



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4.The petitioner 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 Advocate on either side and the Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. The accused was agreed to pay the compensation amount of Rs.3,000/- towards the damages to the defacto complainant. Apart from that the vehicle was also repaired by the accused. 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 S.T.C.No.629 of 2022 pending on the file of the learned Judicial Magistrate, Ambasamudram in respect of the petitioner.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in S.T.C.No.629 of 2022, pending on the file of the learned Judicial Magistrate, Ambasamudram is hereby quashed in respect of the petitioner alone.



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

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

17.10.2023

TM

To

- 1.The Judicial Magistrate, Ambasamudram.
- 2.The Sub Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
(In Crime No.434 of 2021)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA. J.

TM

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