



Crl.O.P.(MD).No.20624 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2023

CORAM

**THE HON'BLE MR.JUSTICE G.ILANGO VAN**

**Crl.O.P.(MD).No.20624 of 2022**

1. Mr. Hariharan,
2. Mr. Arunkumar @ Udayakumar, ...1&2 Petitioners/Accused No.1&2

Vs.

1. The State,  
Rep. by Sub Inspector of Police,  
Vadamadurai Police Station,  
Dindigul Police Station,  
Dindigul District.  
(Crime No. 429 of 2022) ...1<sup>st</sup> Respondent /Complainant
2. Mr.Suresh, ...2<sup>nd</sup> Respondent/Defacto Complainant

**PRAYER :** Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in connection with the impugned F.I.R. In Crime Number No.429 of 2022 pending on the file of the 1<sup>st</sup> respondent police and quash the same in so far as the petitioners are concerned.



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For Petitioners : Mr.Sarvagan prabhu.S.  
For R1 : Mr.S.Manikandan  
Government Advocate(Crl. Side).  
For R2 : Mr.E.Jayakumar

### **ORDER**

This petition has been filed seeking to quash the impugned FIR in Crime No.429 of 2022 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.429 of 2022 for the offences punishable under Sections 447, 294(b), 324, 326, 506(ii) of IPC.

3.The further contention of the petitioners 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 petitioners and the 2<sup>nd</sup> respondent and also by their respective counsels.

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



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were also identified by the learned Government Advocate (Crl. side) and the Investigation Officer. The learned counsel for the petitioners would submit that even though the second accused's name is mentioned as Arunkumar, his original name is Udayakumar. His name was indicated in Aadhar Card as Udayakumar only. The learned counsel for the defacto complainant would submit that there is no identification issue. 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 08.02.2023, 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 Crime No.429 of 2022 pending on the file of the 1<sup>st</sup> respondent police in respect of these petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.429 of 2022, pending on the file of the 1<sup>st</sup> respondent police is hereby quashed in respect of the petitioners.



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

**09.03.2023**

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

To

- 1.Sub Inspector of Police,  
Vadamadurai Police Station,  
Dindigul Police Station,  
Dindigul District.  
(Crime No. 429 of 2022)
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGOVAN,J.**

TM

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