



Crl.O.P.(MD)No.18567 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **08.11.2023**

CORAM:

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

Crl.O.P.(MD) No.18567 of 2023
in
Crl.M.P(MD).No.14623 of 2023

1.Pandi

2.Raj

3.Kamalakaran

... Petitioners / Accused Nos.1 to 3

Vs.

1.State rep. by the Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

2.Rajendran

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned FIR in Crime No.153 of 2023 on the file of the respondent police and quash the same as far as the petitioner is concerned.

For Petitioners	: Mr.S.Ramsundarvijayraj
For R1	: Mr.M.Sakthi Kumar
	Government Advocate(Crl.Side)
For R2	: Mr.L.Velavan



ORDER

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This petition has been filed seeking to call for the records pertaining to the impugned FIR in Crime No.153 of 2023 on the file of the respondent police and quash the same as far as the petitioner is concerned.

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.153 of 2023 for the offences punishable under Sections 294(b), 324 and 308 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 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. After hearing both parties, it appears that the dispute between the family members. One Murugesan and Kamalla are husband and wife, due to difference of opinion, they were separated and the said Murugesan has not paid any maintenance to his wife. Therefore, trouble arose between the Murugesan and the brothers of the said Kamalla.

6. The case of the prosecution is that on 07.08.2023, the petitioners were travelling the car, the defacto complainant and the said Murugesan were travelling the bike, at that time, the petitioners dashed against the defacto complainant's bike in a rash and negligent manner and caused injuries to them. After hearing both side parties, it reveals that the petitioners have no intention to attack the defacto complainant and Murugesan. It is also admitted by the both parties that now the Murugesan and Kamalla were living together and there was no difference of opinion as on date between them.

7. 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 16.10.2023, 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.153 of 2023 pending on the file of the 1st respondent police is quashed and the compromise memo is recorded.



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8.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.153 of 2023, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, the connected Criminal Miscellaneous Petition is closed.

08.11.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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