



Crl.O.P.(MD).Nos.18835 and 16089 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).Nos.18835 and 16089 of 2023

Crl.O.P.(MD).No.18835 of 2023

M.Shenbagaraj

... Petitioner

Vs.

1.State Rep.by,
The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
(Crime No.107/2023)

2.Asaithambi

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, To call for the records relating to the charge sheet in CC No.427/2023 on the file of Learned Judicial Magistrate No.1, Kovilpatti and quash the same as illegal.

For Petitioner : Mr. R.Balakrishnan

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

For R2 : Mr. M.Prabhu



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1.K.Asaithambi
2.A.Ananth
3.A.Kabil

... Petitioners

Vs.

State Rep.by
The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
(Crime No.106/2023)

2.Sankaraselvi

... Respondents

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. 426 of 2023 on the file of the Learned Judicial Magistrate No.I, Kovilpatti and quash the same as illegal

For Petitioner : Mr.M.Prabhu

For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

For R2 : Mr.R.Balakrishnan



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COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the charge sheet in C.C.No.426 and 427 of 2023 on the file of the learned Judicial Magistrate No.I, Kovilpatti.

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.107 of 2023 for the offences punishable under Sections 294(b) and 323 of IPC, and Crime No.106 of 2023 for the offences punishable under Sections 294(b), 323 of IPC and Section 4 of TNPWH Act, against the petitioners in both cases. It appears that it is a case and a counter case registered against the parties over simple issue.

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 in both cases and also by their respective counsels.



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4.The petitioners and the 2nd respondent in both cases, appeared before this Court along with their counsels and also produced their Aadhar cards. They were also identified by the learned Additional Public Prosecutor 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 15.11.2023, 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.426 and 427 of 2023 on the file of the learned Judicial Magistrate No.I, Kovilpatti, is quashed and the compromise memo is recorded.

6.In the result, these Criminal Original Petitions stand allowed and the entire proceedings in C.C.No.426 and 427 of 2023 on the file of the learned Judicial Magistrate No.I, Kovilpatti, are hereby quashed in



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respect of the petitioners and the terms of joint compromise memo shall form part of this order.

16.11.2023

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

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To

- 1.The Judicial Magistrate No.I, Kovilpatti.
- 2.The Inspector of Police, Kovilpatti East Police Station,
Thoothukudi District. (Crime No.107/2023)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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