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Crl.O.P.(MD)No.18972 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17/11/2023

CORAM:

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

Crl.O.P.(MD) No.18972 of 2023

1.Arunachalam

2.Umaiya l

: Petitioners/A1 and A2

Vs.

1.The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
(Crime No.105 of 2022)

: R1/Complainant

2.Swathi

: R2/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records in connection with CC No.1949 of 2022 on the file of the Judicial Magsitrate, Karaikudi and quash the same and pass such further or other orders.

For Petitioners : Mr.S.M.Sanjay

For 1st Respondent : Mr.M.Sakthi Kumar
Government Advocate
(Criminal side)

For 2nd Respondent : Mr.D.Palani Kumar



ORDER

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This petition has been filed seeking to quash the entire proceedings in CC No.11949 of 2022 on the file of the Judicial Magistrate, Karaikudi.

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.105 of 2022 for the offences punishable under Sections 294(b), 323, 506(i) IPC and section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 2002 and it was taken cognizance in CC No.1949 of 2022 by the Judicial Magistrate, Karaikudi.

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 (Criminal side)



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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 09/11/2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending and inclined to quash entire proceedings in CC No.1949 of 2022 pending on the file of the Judicial Magistrate, Karaikudi, in respect of the petitioners.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in CC No.1949 of 2022 on the file of the Judicial Magistrate, Karaikudi, is hereby quashed against the petitioners. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order.

17.11.2023

Index : Yes/No
Internet : Yes/No
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To

- 1.The Judicial Magistrate,
Karaikudi.
- 2.The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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