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Crl.O.P.(MD)No.22729 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.12.2023

CORAM:

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

Crl.O.P.(MD) No.22729 of 2023

Saravanan

... Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.
Crime No.490 of 2023.

...1st Respondent/Complainant

2.M.K Vijay

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and quash the charge sheet in C.C No.1737 of 2023 on the file of the Judicial Magistrate No.VI, Madurai, for the alleged offence under section 380 of Indian Penal Code.

For Petitioner : Mr.K.Elanchezhiyan

For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)

For R2 : Mr.M.Mohamed Sherbudeen



ORDER

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This Criminal Original Petition is filed to call for the records and quash the charge sheet in C.C.No.1737 of 2023 on the file of the learned Judicial Magistrate No.VI, Madurai, for the alleged offence under section 380 of Indian Penal Code.

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.490 of 2023 for the offences punishable under Sections 380 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. Even though the amount of Rs.1,25,000/- was stolen by the petitioner, the matter is compromised between the parties. It is informed to the Court hat no other criminal case is registered against this petitioner.

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 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 19.12.2023, 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.1737 of 2023 pending on the file of the the learned Judicial Magistrate No.VI, Madurai, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.1737 of 2023 , pending on the file of the learned Judicial Magistrate No.VI, Madurai, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

19.12.2023

Index : Yes/No
Internet : Yes/No
Indu



CrI.O.P.(MD)No.22729 of 2023

G.ILANGOVAN. J.

Indu

To

- 1.The learned Judicial Magistrate No.VI, Madurai.
- 2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD) No.22729 of 2023

19.12.2023