



WEB COPY

CrI.O.P.(MD)No.20217 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.11.2023**

CORAM:

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

CrI.O.P.(MD)No.20217 of 2023

Balamurugan

... Petitioner/Accused No.4

Vs.

1.The Inspector of Police,
Koodankulam Police Station,
In Crime No.164/2021.
Tirunelveli District.

...1st Respondent/Complainant

2.Nadesan

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the Charge Sheet in C.C.No.364 of 2023 on the file of Juridical Magistrate, Radhapuram, and quash the same.

For Petitioner : Mr.C.Susikumar

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

ORDER

This Criminal Original Petition is filed to call for the records relating to the Charge Sheet in C.C.No.364 of 2023 on the file of Juridical Magistrate, Radhapuram, and quash the same.



2.The contention of the petitioner is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.164 of 2021 for the offences punishable under Sections 147, 148, 294(b), 448, 323, 324 and 506(ii) IPC and Section 4 of TNPHW Act, 2002 @ Sections 147, 148, 294(b), 448, 323, 324, 325, 326 and 506(ii) IPC and Section 4 of TNPHW Act, 2002, against the petitioner. It appears that further proceedings in Crime No. 164 of 2021 pending on the file of the first respondent Police is quashed in respect of accused Nos.1 to 3 and one minor Dhineshraj.

3.The further contention of the petitioner 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 petitioner and the 2nd respondent and also by their respective counsels.

4.The petitioner 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.Considering the totality of the circumstances, the nature of the allegations levelled against the petitioner and also in view of the joint compromise memo, dated 20.11.2023, 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.364 of 2023 pending on the file of the learned Judicial Magistrate, Radhapuram, 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.364 of 2023, pending on the file of the learned Judicial Magistrate, Radhapuram is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order.

20.11.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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G.ILANGOVAN. J.

Indu

To

- 1.The learned Judicial Magistrate, Radhapuram.
- 2.The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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