



Crl.O.P.(MD).No.19798 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:15.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.19798 of 2023
and Crl.M.P.(MD).No.15521 & 15522 of 2023

M.S.Parthiban

... Petitioner

Vs.

**1.State rep.by
The Inspector of Police,
TIW-II Police Station,
Madurai City.**

2.Najimkhan

3.Shajahan

... 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 STC No.2744 of 2021 pending on the file of the learned JM No. 6 Madurai and quash the same as against the petitioner.

For Petitioner : Mr.G.Karuppasamy pandiyan

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

For R2 : Mr.G.Ganesh Kumar



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ORDER

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This Criminal Original Petition is filed to call for the records relating to the charge sheet in STC No.2744 of 2021 pending on the file of the learned Judicial Magistrate No.6 Madurai and quash the same as against the petitioner.

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.148 of 2020 for the offences punishable under Sections 279 and 337 of IPC, against the petitioner.

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 Additional Public Prosecutor and the



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Investigation Officer. Both the parties were enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

5. Learned counsel for the petitioner would submit that the petitioner is going to appear for service examination and the quashment of this crime should not be an impediment or bar for his further continuation in his appearance in future examinations.

6. The offences under Section 279, 337 and 338 of IPC read with Section 177 of Motor Vehicles Act, 1988, shall not be considered as a bar or impediment for getting government employment. But however, a request is made by the learned counsel for the petitioner to make this observation. Let the quashment of this crime may not be taken as an impediment for his future on any occasion.

7. 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 21.07.2023, this Court is of the opinion that no



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useful purpose will be served by keeping the matter pending. Hence, all further proceedings in STC No.2744 of 2021 pending on the file of the learned Judicial Magistrate No.6 Madurai, is quashed and the compromise memo is recorded.

8.In the result, the Criminal Original Petition stands allowed and the entire proceedings in STC No.2744 of 2021 pending on the file of the learned Judicial Magistrate No.6 Madurai, is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petitions stand closed.

15.12.2023

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

- 1.The Judicial Magistrate No.6 Madurai.
- 2.The Inspector of Police, TIW-II Police Station, Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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G.ILANGOVA, J.

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