



Crl.O.P.(MD)Nos.22458 of 2022 and 8286 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)Nos.22458 of 2022 and 8286 of 2023

and

Crl.M.P(MD).Nos.15855 of 2022 and 4485 of 2023

1.M.A.M.Raja
2.Jenifer Raja
3.Ramki

... Petitioners
in Crl.O.P(MD).No.22458 of 2022

Vs.

1.State through,
The Sub Inspector of Police,
Allinagaram Police Station,
Theni.
2.S.P.M. Ariff Rahuman

... Respondents
in Crl.O.P(MD).No.22458 of 2022

1.Syed Ali Fathima @ Fathima
2.Ayeesha

.... Petitioners
in Crl.O.P(MD).No.8286 of 2023

Vs.

1.The State rep. by
Inspector of police,
Theni Police Station,
Theni District.
2.M.A.M.Raja

... Respondents
in Crl.O.P(MD).No.8286 of 2023



Crl.O.P.(MD)Nos.22458 of 2022 and 8286 of 2023

Prayer in Crl.O.P(MD).No.22458 of 2022 : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.T.C.No.2460 of 2019 on the file of the learned Judicial Magistrate, Theni and quash the same against these petitioner.

Prayer in Crl.O.P(MD).No.8286 of 2023 : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the impugned charge sheet in C.C.No.239 of 2020 on the file of the learned Judicial Magistrate, Theni, concerned in Crime No.1460 of 2015 on the file of the Inspector of Police, Theni Police Station and quash the same.

In Crl.O.P(MD).No.22458 of 2022:-

For Petitioners	: Mr.N.Anantha Padmanabhan
For R1	: R.Suresh Kumar Government Advocate(Crl.Side)
For R2	: Mr.K.Appadurai

In Crl.O.P(MD).No.8286 of 2022:-

For Petitioners	: Mr. K.Appadurai
For R1	: R.Suresh Kumar Government Advocate(Crl.Side)
For R2	: Mr.N.Anantha Padmanabhan

COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the charge sheets in S.T.C.No.2460 of 2019 and C.C.No.239 of 2020 on the file of the learned Judicial Magistrate, Theni.



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2. The contention of the petitioners Crl.O.P(MD).No.22458 of 2022 is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.414 of 2014 for the offences punishable under Sections 147, 341, 294(b), 323, 379 and 506(i) of IPC, against these petitioners.

3. The contention of the petitioners in Crl.O.P(MD).No.22458 of 2022 is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.1460 of 2015 for the offences punishable under Sections 294(b), 427, 447 and 506(2) of IPC, against these petitioners.

4. The further contention of the petitioners in both Crl.O.Ps 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.

5. The petitioners and the 2nd respondent in both Crl.O.Ps 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



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enquired by me and they accepted the terms of compromise. Hence, the Compromise Memo is recorded.

6. 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 20.06.2023, this Court is of the opinion that no useful purpose will be served by keeping the matters pending and inclined to quash all further proceedings in S.T.C.No.2460 of 2019 and C.C.No.239 of 2020 on the file of the learned Judicial Magistrate, Theni.

7. In the result, the Criminal Original Petitions stands allowed and the entire proceedings in S.T.C.No.2460 of 2019 and C.C.No.239 of 2020 on the file of the learned Judicial Magistrate, Theni, are hereby quashed in respect of the petitioners alone. The compromise memo is recorded and the terms of joint compromise memo shall form part of this order. Consequently, the connected miscellaneous petitions are closed.

8. The learned counsel for the petitioners submitted that the first petitioner in Crl.O.P(MD).No.22458 of 2022 has filed a protest petition before the learned Judicial Magistrate Court, Periyakulam and he has also submitted that in view of the compromise reached between the parties he is ready to not press the protest petition.



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9. In view of the submission made by the learned counsel for the petitioners, the first petitioner in Crl.O.P(MD).No.22458 of 2022 is directed to file a memo along with the compromise memo before the learned Judicial Magistrate, Periyakulam stating that the compromise was reached between the parties, so the concerned Magistrate may close the protest petition.

21.06.2023

Index : Yes/No
Internet:Yes/No
tta

To

1. The Judicial Magistrate, Theni,
2. The Magistrate Court, Periyakulam
- 3.The Sub Inspector of Police,
Allinagaram Police Station,
Theni.
- 4.The Inspector of police,
Theni Police Station,
Theni District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.,

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and
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