



Crl.O.P.(MD)No.21722 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.12.2023

CORAM:

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

Crl.O.P.(MD) No.21722 of 2023

1. Kamalakannan

2. Mareeswaran

3. Senthamarai

... Petitioners / Accused Nos.1 and
2 and Rank not known of the 3rd petitioner
Vs.

1.The Deputy Superintendent of Police,
Sivakasi Sub Division,
Virudhunagar District.

2.The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.

Crime No.340 of 2023. ... Respondents No.1 and 2 /Complainants

3. Marichami

... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, call for the records relating to the FIR in Crime No.340 of 2023, dated 09.10.2023 on the file of the Inspector of Police, Thiruthangal Police Station, Virudhunagar District and quash the same as against the petitioners.

For Petitioners : Mr.AK.Azagar Sami

For R1 and R2 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

For R3 : Mr.P.Surya



ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No.340 of 2023 on the file of the 2nd respondent police.

2.The contention of the petitioners is that based on the complaint lodged by the 3rd respondent, the 2nd respondent registered the First Information Report in Crime No.340 of 2023 for the offences punishable under Sections 294(b), 323, 506(i) of IPC, Section 4 of TN Prohibition of Atrocities Act, 1989, Sections 3(1)(r) and 3(2)(va) of SC/ST (PoA) Act, 1989, against the petitioners. There is no compensation received by the defacto complainant from the Government.

3. The learned Government Advocate (Crl.Side) also verified that no compensation is received by the defacto complainant from the Government and it is a issue between the neighbours.

4.The further contention of the petitioners is that they compromised the issue with the 3rd respondent amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the 3rd respondent and also by their respective counsels.



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5.The petitioners and the 3rd 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.

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 18.12.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in Crime No.340 of 2023 pending on the file of the 2nd respondent Police is quashed and the compromise memo is recorded.

7. In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.340 of 2023, pending on the file of the 2nd respondent Police is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

20.12.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes/No
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G.ILANGOVAN. J.

Indu

To

- 1.The Deputy Superintendent of Police,
Sivakasi Sub Division,
Virudhunagar District.
- 2.The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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