



Crl.O.P.(MD)No.22592 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.22592 of 2022

1.Sathya @ Sathyamoorthy

2.Muthuraj

3.Ramesh

4.Gurusamy

5.Sivan @ Sivanu

6.Sankar @ Sankaralingam

... Petitioners

Vs.

1.State represented by
The Inspector of Police,
Karivalamvanthanallur Police Station,
Tirunelveli District.
(Crime No.242 of 2016)

2.Mathankumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for records relating to the FIR in Crime No.242 of 2016 dated 06.09.2016 on the file of the first respondent and quash the same as against the petitioners are concerned.

1/6



Crl.O.P.(MD)No.22592 of 2022

For Petitioners : Mr.C.R.M.Prabhu
For R1 : Mr.M.Muthumanikkam
Government Advocate (Crl. Side)
For R2 : Mr..P.Praveenkumar

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the First Information Report in Crime No.242 of 2016 on the file of the first respondent police and quash the same.

2. The case of the prosecution is that there existed previous enmity between the parties, due to that, on 05.09.2016, the petitioners along with other accused attacked the second respondent/defacto complainant and abused him in filthy language.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioners would submit that the second respondent has lodged a complaint before the first respondent and on that



Crl.O.P.(MD)No.22592 of 2022

basis, FIR came to be registered in Crime No.242 of 2016 dated 06.09.2016 for the offences under Sections 147, 294(b), 323 and 506(1) IPC against 13 persons including the petitioners herein.

4. The case is still under the investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

5. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.K.Balasubramanian, Special Sub Inspector, Karivalamvanthanallur Police Station as well as by the learned counsels appearing for the parties. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

6. At this juncture, the learned Government Advocate (Criminal Side) appearing for the first respondent on instructions would submit that



Crl.O.P.(MD)No.22592 of 2022

the learned Judicial Magistrate, by observing that since the charge sheet has not been filed, closed the FIR in Crime No.242 of 2016 as barred by limitation under Section 468(2) Cr.P.C. vide order dated 05.09.2022.

7. Recording the submission made by the learned Government Advocate (Criminal Side) that the case in Crime No.242 of 2016 was closed as barred by limitation, this Criminal Original Petition stands closed.

12.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Inspector of Police,
Karivalamvanthanallur Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.22592 of 2022



WEB COPY



Crl.O.P.(MD)No.22592 of 2022

K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.22592 of 2022

Dated: 12.01.2023