



Crl.O.P.(MD).No.20862 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20862 of 2023
and Crl.M.P.(MD).No.16361 of 2023

1. Jeyakodi
2. Pownthai
3. Jeyalakshmi @ Lakshmi
4. Vasanth

... Petitioners

Vs.

1. The State Rep.by its,
The Inspector of Police,
CUMBUM NORTH Police Station,
THENI District.
(In Crime No.178/2021)

2.Jeyarani

3.Suresh @ Suresh Kumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the entire records in relating to the Impugned FIR in Crime No.178 of 2021 dated 11.05.2021 on the file of the first respondent and to quash the same in so far as the petitioners are concerned.



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For Petitioners : Mr.S.Vidhya Sagar
For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate(Crl.side)
For R2 & R3 : Mr.V.Kabilan

ORDER

This Criminal Original Petition is filed to call for the entire records in relating to the Impugned FIR in Crime No.178 of 2021 dated 11.05.2021 on the file of the first respondent and to quash the same in so far as the petitioners are concerned.

2.The contention of the petitioners is that based on the complaint lodged by the 2nd respondent, the 1st respondent registered the First Information Report in Crime No.178 of 2021 for the offences punishable under Sections 294(b), 323, 324 of IPC and Section 4 of TNPHW Act, 2002 against the petitioners. It is an issue between the neighbours over drainage dispute.



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3.The further contention of the petitioners 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.

4.The petitioners 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 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 petitioners and also in view of the joint compromise memo, dated 26.06.2023, 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.178 of 2021 pending on the file of the 1st respondent police is quashed and the compromise memo is recorded.



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6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.178 of 2021, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, connected miscellaneous petition is closed.

12.12.2023

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

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To

1. The Inspector of Police,
Cumbum North Police Station,
Theni District.
(In Crime No.178/2021)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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