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Crl.O.P.(MD)No.21276 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P.(MD) No.21276 of 2023

and

Crl.M.P(MD) No.16638 of 2023

S.Ashokkumar

... Petitioner/1st Accused

Vs.

1.The Inspector of Police,
Kadupatty Police Station,
Madurai District.
(Crime No.175/2023).

... 1st Respondent/Complainant

2.S.Sappani

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the impugned FIR in Crime No.175 of 2023 on the file of respondent Police and quash the same as far as the petitioner concerned.

For petitioner : Mr.S.Ramsundarvijayraj

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

For R2 : Mr.K.Sharan



ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No.175 of 2023 on the file of the 1st respondent Police.

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.175 of 2023 for the offences punishable under Sections 294(b), 427, 323, 506(ii) 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 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.



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5. Even though Section 427 IPC is mentioned in the First Information Report, it is confirmed by the defacto complainant that no damage caused to any of the articles of his theatre.

6. 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 28.11.2023, 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.175 of 2023 pending on the file of the 1st 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.175 of 2023, pending on the file of the 1st respondent police is hereby quashed in respect of the petitioner and the terms of joint compromise memo shall form part of this order. Consequently, connected Miscellaneous Petition is closed.

20.12.2023

Index : Yes/No

Internet : Yes/No

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G.ILANGOVAN. J.

Indu

To

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

Crl.O.P.(MD) No.21276 of 2023

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