



Crl.O.P.(MD).No.21965 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

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- 1.Suriyaprakash
- 2.Mohankumar @ Mohan
- 3.Rajkumar @ Rajesh
- 4.Muralitharan @ Murali
- 5.Sankar

... Petitioners/Accused

Vs.

- 1.State of Tamil Nadu rep by,
The Inspector of Police,
Bazar Police Station,
Ramanthapuram District.
Crime No.433 of 2021.

... Respondent/Complaint

- 2.Saravanakumar

...Respondent/Defacto Complainant

- 3.Malathi

... Respondent/Victim

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, To call for the records pertaining to the FIR in Cr.No.433 of 2021 dated 02.10.2021 on the file of the Respondent Police Station and quash the same as illegal in so far as Petitioners are concerned.

For Petitioners : Mr.B.Mahendrarajan

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

For R2 & R3 : Mr.S.Vikram



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ORDER

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This petition has been filed seeking seeking quashment of the impugned FIR in Crime No.433 of 2021 on the file of the first respondent police.

2.It is a case in counter case. 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.433 of 2021 for the offences punishable under Sections 147, 294(b), 323, 324 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against the petitioners.

3.The further contention of the petitioners is that they compromised the issue with the respondents 2 & 3 amicably. A joint memo of compromise was filed, which has been duly signed by the petitioners and the respondents 2 & 3 and also by their respective counsels.

4.The petitioners and the respondents 2 & 3 appeared before this Court along with their counsels and also produced their Aadhar cards.



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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.

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 19.12.2023, 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.433 of 2021 pending on the file of the 1st respondent police is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.433 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.

20.12.2023

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

dss

To

- 1.The Inspector of Police,
Bazar Police Station,
Ramanthapuram District.
Crime No.433 of 2021.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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