



Crl.O.P.(MD).No.21294 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.21294 of 2023

1. Venkatesh
2. Indhumathi ... Petitioners / Accused Nos.1 and 2

Vs.

1.State Rep by Inspector of Police,
Kadayam Police Station,
Tenkasi District.
Cr.No.161 of 2023.

2.Aravind ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in FIR No.161 of 2023 on the file of the Kadayam Police Station, Tenkasi District and quash the same as against the Petitioners.

For Petitioners	: Mr.J.Arul Prakash
For R1	: Mr.M.Vaikkam Karunanithi Government Advocate (Crl.side)
For R2	: Mr.A.Abdul hameed



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ORDER

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This Criminal Original Petition is filed to call for the records in FIR No.161 of 2023 on the file of the Kadayam Police Station, Tenkasi District and quash the same as against the Petitioners.

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.161 of 2023 for the offences punishable under Sections 420 of IPC against the petitioners.

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



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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. Totally three accused are involved in this issue. According to the defacto complainant, the third accused is a real culprit and believing the words of the first accused, the defacto complainant invested money in the account of the third accused. For sometime, profit was given by the third accused, later defaulted. Totally a sum of Rs.14 Lakhs is involved. Out of that, Rs.4 Lakhs was invested through the first petitioner and that amount was returned to the defacto complainant. The amount of Rs.6 Lakhs is in the hands of the third accused who is absconding. They entered into a compromise by which the first accused also paid Rs.4 Lakhs to the defacto complainant.

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 24.11.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all



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further proceedings in Crime No.161 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.161 of 2023, 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.

15.12.2023

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

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To

- 1.The Inspector of Police, Kadayam Police Station,
Tenkasi District. Cr.No.161 of 2023.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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