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Crl.O.P.(MD)No.21962 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.21962 of 2023

and

Crl.M.P(MD) Nos.17176 and 17178 of 2023

1. Murugan

2. Tamil Selvan

... Petitioners /Accused Nos.
1 and 2

Vs.

1. The Sub-Inspector of Police,
Elayangudi Police Station,
Sivagangai District,
Crime No.387/2021.

... 1st Respondent/Complainant

2. Kumar

... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the entire records in relating to the impugned charge sheet in C.C.No.27 of 2022 on the file of the learned District Munsif cum Judicial Magistrate Court, Ilayangudi, and to quash the same as against the petitioners.

For Petitioners : Mr.M.S.Jeyakarthik

For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)

For R2 : Mr.S.Vidhya Sagar



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.27 of 2022 on the file of the learned District Munsif cum Judicial Magistrate Court, Ilayangudi.

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.387 of 2021 for the offences punishable under Sections 143, 147, 427, 153A(1)(b) IPC @ 427 and 153A(1)(b) 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 learned Government Advocate (Crl.Side) would submit that recommendation is made to the compensation amount. Only the proposal is pending with the competent authority to dispose the compensation amount to the defacto complainant. So far, it was not fixed and disposed to the defacto complainant.



5. The defacto complainant has given an undertaking that if any compensation amount is credited in his account, in future, it may be returned to the Government.

6.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 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.

7.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 20.12.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending. Hence, all further proceedings in C.C.No.27 of 2022 pending on the file of the learned District Munsif cum Judicial Magistrate Court, Ilayangudi, is quashed and the compromise memo is recorded.



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8.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.27 of 2022, pending on the file of the learned District Munsif cum Judicial Magistrate Court, Ilayangudi, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order. Consequently, connected Miscellaneous Petitions are closed.

20.12.2023

Index : Yes/No
Internet : Yes/No
Indu

To

- 1.The learned District Munsif cum Judicial Magistrate Court,
Ilayangudi.
- 2.The Sub Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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