



Crl.O.P.(MD).No.21646 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:15.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).Nos.21646, 21797, 21798, 21799 and 21800 of 2023

Crl.O.P.(MD).No.21646 of 2023

Sesu Rajan @ JesuRajan

... Petitioner

Vs.

1.The State Rep by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.280 of 2020)

2.Vinister

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in Crime No.280/2020 on the file of the first respondent police and quash the same against the petitioner.

For Petitioner : Mr.A.Mohan

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

For R2 : Mr.R.Ponkarthikeyan



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Crl.O.P.(MD).No.21797 of 2023

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1. Rick @ Rickson
2. Vinister @ Anton Xavier Vini
3. Peni @ Anthony Groos Penitas
4. Herculas @ Herkulas
5. Juliyat @ John Juliyat
6. Lawrence
7. Rabinsingh @ Rabin Sing
8. Arulappakitheriyan @ Arulapp
9. Dinister
10. Valan @ Arul Valan

... Petitioners

Vs.

1. The State Rep by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.250 of 2020)

2. Jesu Rajan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in C.C No.177 of 2022 on the file of the Judicial Magistrate court, Radhapuram and quash the same against the petitioners.



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For Petitioners : Mr.R.Ponkarthikeyan
For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate
(Crl.side)
For R2 : Mr.A.Mohan

Crl.O.P.(MD).No.21798 of 2023

Xavier @ Jesus Arul Xavier ... Petitioner

Vs.

1.The State Rep by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.323 of 2020)

2.Vinister ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in CC No.322/2023 on the file of Judicial Magistrate Court Radhapuram and quash the same against the petitioners.

For Petitioner : Mr.A.Mohan
For R1 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)
For R2 : Mr.R.Ponkarthikeyan



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1. Jesurajan
2. Xavier @ Jesus Arul Xavier
3. Rusang @ Rusong
4. Prasanth Santhiyagu @ Antony Santhiyacu Prasanth,
5. Sebastiyen @ Sebasthiyan
6. Revanth ... Petitioners

Vs.

- 1.The State Rep by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.252 of 2020)

- 2.Arulappan Kitheriyan ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in PRC.No.8 of 2022 on the file of Judicial Magistrate Court, Radhapuram and Quash the same against the petitioners.

For Petitioners	: Mr.A.Mohan
For R1	: Mr.M.Vaikkam Karunanithi Government Advocate (Crl.side)
For R2	: Mr.R.Ponkarthikeyan



Crl.O.P.(MD).No.21646 of 2023

Crl.O.P.(MD).No.21800 of 2023

1. Xavier @ Jesus Arul Xavier
2. Sesurajan @ JesuRajan

... Petitioners

Vs.

- 1.The State Rep by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.318 of 2020)

- 2.Kala

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in CC No.11 of 2023 on the file of Judicial Magistrate Court, Radhapuram and Quash the same against the petitioners.

For Petitioner : Mr.A.Mohan

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

For R2 : Mr.R.Ponkarthikeyan



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COMMON ORDER

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These Criminal Original Petitions are filed to call for the records in Crime No.280/2020 on the file of the first respondent police, the proceedings in C.C No.177 of 2022, C.C No.322/2023, P.R.C.No.8 of 2022 and C.C No.11 of 2023 on the file of the Judicial Magistrate court, Radhapuram, and quash the same against the petitioners.

2. The contention of the petitioners is that based on the complaint lodged by the 2nd respondent in all cases, the respective 1st respondent registered the First Information Report in Crime No.280 of 2020 for the offences punishable under Sections 294(b), 323, 394 and 506(2) of IPC and in Crime No.250 of 2020 for the offences punishable under Section 147, 148, 294(b), 323, 324, 506(2) of IPC, in Crime No.323 of 2020 for the offences punishable under Sections 341, 294(b), 307 and 506(2) of IPC, in Crime No.252 of 2020 for the offences punishable under Sections 147, 148, 448, 427, 294(b), 323, 324 and 506(2) of IPC and in Crime No. 318 of 2020 for the offences punishable under Sections 294(b), 323, 506(2) and 326 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against the petitioners, respectively.



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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 in all the cases, 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 05.12..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.280/2020 on the file of the first respondent police, the proceedings in C.C No.177 of 2022, C.C No.



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322/2023, P.R.C.No.8 of 2022 and C.C No.11 of 2023 on the file of the Judicial Magistrate court, Radhapuram, are quashed and the compromise memo is recorded.

6. In the result, the Criminal Original Petition stands allowed and the entire proceedings in Crime No.280/2020 on the file of the first respondent police, the proceedings in C.C No.177 of 2022, C.C No. 322/2023, P.R.C.No.8 of 2022 and C.C No.11 of 2023 on the file of the Judicial Magistrate court, Radhapuram, are 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

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- 1.The Judicial Magistrate, Radhapuram.
- 2.The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.280 of 2020)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J.

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and 21800 of 2023**

15.12.2023