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CrI.O.P.(MD)No.22026 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.12.2023**

CORAM:

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

CrI.O.P.(MD) No.22026 of 2023

1.Samir Mirza @ Mohamed Shameer Mirsha

2.Abdul Rahim

3.Fathimuthu @ Pathimuthu Jinna

... Petitioners/Accused Nos.1 to 3

Vs.

1.The Sub-Inspector of Police,
Ethamozhi Police Station,
Ethamozhi,
Kanyakumari District.
(Crime No.62 of 2023)

...1st Respondent/Complainant

2.Umar Baruk

... Respondents 2 to 5/Defacto
Complainant & Victims

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to the FIR in Crime No. 62 of 2023 on the file of the 1st Respondent police and to quash the same.

For Petitioners : Mr.N.Pragalathan

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

For R2 : Mr.K.Muthurakkan



ORDER

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This petition has been filed seeking to quash the impugned FIR in Crime No.62 of 2023 on the file of the 1st respondent police.

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.62 of 2023 for the offences punishable under Sections 147, 294(b), 447, 427 and 506(ii) 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 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 12.12.2023, 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.62 of 2023 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.62 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.

21.12.2023

1/3

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

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G.ILANGOVAN. J.

dss

To

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

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