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CrI.O.P.(MD)No.22191 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.12.2023

CORAM:

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

CrI.O.P.(MD) No.22191 of 2023

1.George

2.Sivaraman

3.Akashkumar

4.Viswa @ Nachiappan

... Petitioners/1st to 4th Accused

Vs.

1.The State,

Represented by Inspector of Police,

Kallal Police Station,

Sivagangai District.

In Crime No.171/2021.

...1st Respondent/Complainant

2.Kannadasan

...2nd Respondent/Defacto

Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of

Cr.P.C, to call for the records relating to Crime No.171 of 2021 on the

file of the 1st respondent and quash the same as against the petitioner.

For Petitioners : Mr.V.Karuna

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

For R2 : Mr.G.Manikandan



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ORDER

This petition has been filed seeking to quash the impugned FIR in Crime No.171 of 2021 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.171 of 2021 for the offences punishable under Sections 147, 148, 294(b), 506(ii) of IPC r/w. 25(1-A) of Arms Act, 1959 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.

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5. The first petitioner is involved in seven previous cases, among which Section 326, 324 and 395 and 397, 412 IPC cases are pending. So, he is not entitled for any quashment on the basis of the compromise. So far, other accused are concerned, against them, no previous cases are pending. So, this petition is allowed in respect of the petitioners No.2 to 4. So far, the first petitioner is concerned, this petition is dismissed.

6. Considering the totality of the circumstances, the nature of the allegations levelled against the petitioners No.2 to 4 and also in view of the joint compromise memo, dated 07.12.2023, this Court is of the opinion that no useful purpose will be served by keeping the matter pending against the petitioners No.2 to 4. Hence, all further proceedings in Crime No.171 of 2021 against the petitioners No.2 to 4 pending on the file of the 1st respondent Police is quashed and the compromise memo is recorded. In respect of the petitioner No.1, this petition is dismissed.



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7. In the result, the Criminal Original Petition stands partly allowed and the entire proceedings in Crime No.171 of 2021, pending on the file of the 1st respondent Police is hereby quashed in respect of the petitioners No.2 to 4 and the terms of joint compromise memo shall form part of this order.

13.12.2023

Index : Yes/No

Internet : Yes/No

Indu

To

- 1.The Inspector of Police,
Kallal Police Station,
Sivagangai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

Indu

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