



Crl.O.P.(MD)No.22812 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.12.2023

CORAM:

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

Crl.O.P.(MD) No.22812 of 2023

1.Mahendran

2.Rajapandi

3.Ayyappan

... Petitioners / Accused

Vs.

1. State rep. by its
The Inspector of Police,
Allinagaram Police Station,
Theni District.
Crime No.518 of 2021

... 1st Respondent/Complainant

2.Sheik Mohamed

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to the charge sheet in C.C.No. 226 of 2022, pending on the file of the learned Judicial Magistrate, Theni, dated 09.09.2022 and quash the same.

For Petitioners : Mr.A.Balaji

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

For R2 : Mr.T. Logaiasami



ORDER

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This Criminal Original Petition is filed to call for the records pertaining to the charge sheet in C.C.No.226 of 2022, pending on the file of the learned Judicial Magistrate, Theni, dated 09.09.2022 and quash the same.

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.518 of 2021 for the offences punishable under Sections 147, 148, 294(b), 506(ii) and 109 IPC @ 294(b), 506(ii) and 109 IPC, against the petitioner7s.

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 and the Investigation Officer. Both the parties were enquired by me and they



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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 08.12.2023, 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.226 of 2022, pending on the file of the learned Judicial Magistrate, Theni, is quashed and the compromise memo is recorded.

6.In the result, the Criminal Original Petition stands allowed and the entire proceedings in C.C.No.226 of 2022, pending on the file of the learned Judicial Magistrate, Theni, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

22.12.2023

Index : Yes/No
Internet : Yes/No
trp



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To

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1. learned Judicial Magistrate, Theni,
2. The Inspector of Police,
Allinagaram Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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22.12.2023