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Crl.O.P.(MD)No.22800 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.12.2023

CORAM:

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

Crl.O.P.(MD) No.22800 of 2023

1.Azam Ali @ Kalim

2.Hussain Deen @ Saleem

3.Hussaini @ Syed Kuthbai Alam Hussaini

4.Abuthahir @ Syed Mahmood Ibraheem

... Petitioners/1st to
4th Accused

Vs.

1.The Sub-Inspector of Police,
Thideer Nagar Police Station,
Madurai City.
Crime No.162/2021.

...1st Respondent/Complainant

2.Mohamed Farkurdeen

...2nd Respondent/Defacto
Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for records in C.C.No.1056 of 2023 pending on the file of the learned Judicial Magistrate No.V Madurai and quash the same.

For Petitioners : Mr.C.Nihil Nandha

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

For R2 : Mr.S.Thirupathy



ORDER

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This Criminal Original Petition has been filed seeking to quash the charge sheet in C.C.No.1056 of 2023 on the file of the learned Judicial Magistrate No.V Madurai.

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.162 of 2021 for the offences punishable under Sections 294(b), 323, 324, 506(i) and 34 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.

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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 19.12.2023, 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.1056 of 2023 pending on the file of the learned Judicial Magistrate No.V Madurai, 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.1056 of 2023, pending on the file of the learned Judicial Magistrate No.V Madurai, is hereby quashed in respect of the petitioners and the terms of joint compromise memo shall form part of this order.

19.12.2023

Index : Yes/No
Internet : Yes/No
Indu



CrI.O.P.(MD)No.22800 of 2023

G.ILANGOVAN. J.

Indu

To

- 1.The learned Judicial Magistrate No.V, Madurai.
- 2.The Sub Inspector of Police,
Thideer Nagar Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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19.12.2023