



Crl.O.P.(MD) No.4133 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.4133 of 2024

1. Rajakutty
- 2.Sudalai Arumugam
- 3.Kanagaraj
- 4.Muthu
- 5.Sunil Karvannan
- 6.Kumar ... Petitioners / Accused

vs.

- 1.The Inspector of Police
Tiruchendur Police Station,
Tiruchendur, Thoothukudi District.

- 2.Valli ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to call for the records relating to the case in S.C No.26 of 2024 on the file of the Subordinate Court, Tiruchendur and quash the same against the Petitioners concern.

For Petitioners : Mr.S.Selvakrishnan

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

For R2 : Mr.J.Gavin Silvester



Crl.O.P.(MD) No.4133 of 2024

ORDER

WEB COPY

This Criminal Original Petition had been filed to quash the charge sheet in S.C No.26 of 2024 on the file of the learned Subordinate Judge, Tiruchendur.

2. The learned Counsel for the Petitioners submits that the Petitioners are arrayed as Accused. During the pendency of this case, the Petitioners herein / Accused and the defacto Complainant arrived at a compromise. The joint compromise memo also recorded.

3.Mr.J.Gavin Silvester (Enroll. No.3289/2014 Mobile No: 97903 28543), learned Counsel for the second Respondent / Defacto complainant appeared and filed vakalat in this case.

4. The learned Government Advocate (Crl.side), on instructions of the first Respondent Police, submits that already charge sheet against the Accused No.6 was quashed, as per the order of this Court dated 21.12.2023 in Crl.O.P.(MD)No.22722 of 2023. He further submits that amicable settlement arrived between the Parties are *bonafide* and that the



Crl.O.P.(MD) No.4133 of 2024

investigation officer had identified the Petitioners herein / Accused Nos. 1 to 5 and 7 as well as the second Respondent / defacto complainant with their Aadhar Cards. The other accused /Accused Nos.8 and 9 are yet to appear before the Respondent Police. Considering the fact that the learned Government Advocate (Criminal Side) objected to quash the charge sheet piecemeal, the same is recorded.

5. In the light of the objection raised by the learned Government Advocate (Criminal Side) and joint compromise memo filed by the learned Counsel for the Petitioners / Accused Nos.1 to 5 & 7 and the learned Counsel for the defacto complainant, this ***Criminal Original Petition is allowed***. The charge sheet in S.C.No.26 of 2024, pending on the file of the learned Subordinate Judge, Tiruchendur, is hereby quashed as against the Petitioners herein/Accused Nos.1 to 5 and 7. The learned Subordinate Judge, Tiruchendur, shall proceed with trial regarding Accused Nos.8 and 9.

Internet : Yes./No
Index : Yes/No
NCC : Yes/No
LS

28.03.2024



WEB COPY



Crl.O.P.(MD) No.4133 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

LS

To

- 1.The Subordinate Judge,
Tiruchendur.
- 2.The Inspector of Police
Tiruchendur Police Station,
Tiruchendur, Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.4133 of 2024

28.03.2024