



Crl.O.P.(MD)No.18528 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.(MD)No.18528 of 2023

1.Kalaiazhagan
2.Jayasankar

... Petitioners/A1 & A2

vs.

1.State Rep. by
The Inspector of Police,
Palakarai Police Station,
Trichy City.
Crime No.999 of 2023

... 1st Respondent/Complainant

2.Gowtham @ Ganesan

... 2nd Respondent/Defacto Complainant

Prayer:- Petition filed under Section 482 of Cr.P.C., to call for the records relating to Crime No.999 of 2023 dated 02.07.2023 under Sections 294(b), 324 and 506(ii) of IPC on the file of the first respondent police and to quash the same.

For Petitioners : Mr.S.Sathya Chidambaram

For Respondents : Mrs.M.Aasha
Government Advocate (Crl. side) for R1

Mr.N.Saravanan for R2



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ORDER

The Criminal Original Petition is filed to quash the FIR in Crime No.999 of 2023 dated 02.07.2023 on the file of the first respondent police.

2.The learned counsel for the petitioners seeks quashment of the case on compromise. A joint compromise memo is filed. It can be seen that the major offence is under Section 506(ii) of IPC. The defacto complainant would submit that he is not willing to press the allegations and the case can be quashed.

3.Considering the overall facts and circumstances of the case and the nature of allegations made, I am of the view that the case is private in nature and as per the dictum laid down by the Hon'ble Supreme Court of India in ***Gian Singh vs. State of Punjab & Another*** reported in **2012 (10) SCC 303**, this is a fit case for this Court to invoke the extraordinary powers under Section 482 of the Code of Criminal Procedure. The learned Government Advocate (Crl. side) submits that now the charge sheet is also



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filed on 03.09.2024 through E.filing No.LTN 2022 000 1988 C

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202400391, before the learned Judicial Magistrate No.I, Trichy.

4.In view thereof, the criminal original petition stands allowed and the case in Crime No.999 of 2023 on the file of the respondent police and the final report filed in E.filing No.LTN 2022 000 1988 C 202400391, before the learned Judicial Magistrate No.I, Trichy, shall stand quashed. The Joint Compromise memo shall form part and parcel of this order.

23.09.2024

NCC : Yes / No
sji

To

- 1.The Judicial Magistrate No.I, Trichy.
- 2.The Inspector of Police,
Palakarai Police Station,
Trichy City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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D.BHARATHA CHAKRAVARTHY, J.

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