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CrI.O.P.(MD)No.20206 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2024

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.(MD)No.20206 of 2024

Pandi @ Karuvapandi

... Petitioner

Vs.

1.The State of Tamil Nadu,
The Inspector of Police,
Tallakulam Police Station,
Madurai City,
(Crime No.314 of 2024)

2.Sumanraj

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records relating to the charge sheet in Crime No.314 of 2024 on the file of the first respondent and quash the same as illegal.

For Petitioners	: Mr.B.Vinoth Kumar
For R1	: Mr.K.Sanjai Gandhi Government Advocate (Criminal Side)
For R2	: Mr.M.Selvakumar

ORDER

This Criminal Original Petition has been filed, invoking Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to quash the case in Crime No.314 of 2024 on the file of the first respondent.



WEB COPY

Crl.O.P.(MD)No.20206 of 2024



2. The case of the prosecution is that the petitioner had stolen a sum of Rs.1,060/- at knife point from the defacto complainant and his brother and friend. Hence, the complaint has been filed.

3.The case is under investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves. A Joint Memo of Compromise filed before this Court signed by the petitioners and the second respondent and their respective counsels. The petitioners and the second respondent present before this Court.

4.The learned Government Advocate (Crl. side) for the first respondent submitted that the there are many cases similar in nature pending against the petitioner. He further submitted that a history sheet is also pending as against the petitioner in H.S.No.24 of 2024. He further submitted that in the present case, investigation has been completed and charge sheet has also been made ready to file before the trial Court.

5. In the instant case, the case has been registered against the petitioner for the offences under Sections 392, 397 and 506 (ii) IPC in



WEB COPY



Crl.O.P.(MD)No.20206 of 2024

Crime No.314 of 2024. Further, it is brought to the notice of this Court that the petitioner has several cases similar in nature pending against him.

6.Considering the fact that the petitioner has involved in similar type of offence and the investigation has also been completed in the present case, this Court is not inclined to entertain this petition. Accordingly, this Criminal Original Petition is dismissed.

NCC : Yes / No

28.11.2024

Index : Yes / No

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To

- 1.The Inspector of Police,
Tallakulam Police Station,
Madurai City
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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M.NIRMAL KUMAR, J.

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