



WEB COPY

Crl.O.P.(MD)No.20252 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

Crl.O.P.(MD)No.20252 of 2024

1.Maharajan

2.Tharmar

... Petitioners

Vs.

1.The State of Tamil Nadu,
The Inspector of Police,
Vadamadurai Police Station,
Dindigul City,
(Crime No.402 of 2023)

2.Sivamani

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records relating to the First Information Report in Crime No.402 of 2023 on the file of the first respondent /Inspector of Police, Vadamadruai Police Station, Dindigul District and quash the same as illegal.

For Petitioners

For R1

For R2

: Mr.S.Arjun

: Mr.K.Sanjai Gandhi

Government Advocate

(Criminal Side)

: Mr.B.Vinoth Kumar



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ORDER

This Criminal Original Petition has been filed seeking to quash the case in Crime No.402 of 2024 on the file of the first respondent.

2. The case of the prosecution is that the petitioners, due to the land dispute between the petitioners and the defacto complainant, had come to the house of the defacto complainant and abused the deacto complainant and his father and threatened them with dire consequences.

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 is also filed before this Court signed by the petitioners and the second respondent and their respective counsels. The petitioners and the second respondent are present before this Court.

4.The learned Government Advocate (Crl. side) for the first respondent submitted that the first and second petitioners are the habitual offenders and as against the first petitioner 23 cases are pending and as against the second petitioner four cases are pending. Hence, he opposes this petition.



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5.Considering the fact that apart from the instant case, there are several other cases are pending as against the petitioners, 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,
Vadamadurai Police Station,
Dindigul City,
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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