



Crl.O.P.(MD)No.22945 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.(MD)No.22945 of 2023

Reginkumar

... Petitioner/A3

vs.

1.The Inspector of Police,
Thiruppullani Police Station,
Ramanathapuram District.

... Respondent/Complainant

2.Arulraja

... Respondent/Defacto Complainant

Prayer:- Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No.156 of 2016 on the file of the learned Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District and quash the proceedings against the petitioners as illegal.

For Petitioner : Mr.B.Mahendrarajan

For Respondents : Mrs.M.Aasha

Government Advocate (Crl. side) for R1

Mr.Atham Ali for R2

ORDER

The petition is filed to quash the proceedings in C.C.No.156 of 2016 on the file of the learned Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District.



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2.The learned counsel for the petitioner seeks quashment of the case on compromise. A joint compromise memo is also filed. The defacto complainant is also present before this Court. He submits that he does not want to press the allegations and that the case can be quashed.

3.As per the dictum of the Hon'ble Supreme Court of India in ***Gian Singh vs. State of Punjab & Another*** reported in **2012 (10) SCC 303**, the Court has to look into the overall facts and circumstances of the case and decide to exercise the power under Section 482 of the Code of Criminal Procedure, if only the case on private in nature and is not a serious offence against the society. A reading of the entire material which is filed in the case, including the 161 statement of the defacto complainant, it is seen that the entire occurrence arose out of the wordy quarrel among the friends and considering the major offences under Section 506(ii) of IPC and the parties have compromised the issue, I am of the view that this offence can be termed as private in nature and is a fit case for exercise of inherent powers under Section 482 of the Code of Criminal Procedure.



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4. Accordingly, the Criminal Original Petition is allowed and the case in C.C.No.156 of 2016 on the file of the learned Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District shall stand quashed.

19.09.2024

NCC : No
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To

1. The Judicial Magistrate No.I,
Ramanathapuram, Ramanathapuram District.
2. The Inspector of Police,
Thiruppullani Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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D.BHARATHA CHAKRAVARTHY, J.

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