



Crl.O.P.(MD)No.22370 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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1.Hafiez Govind

(Wrongly mentioned the
name in the FIR as Kabillesh)
Represented by his father Perumalsamy

2.Matheskumar

(Wrongly mentioned the
name in the FIR as Mathesh)
Represented by his father Muniyandi

... Petitioners/A1 & A2

vs.

1.State Represented by

The Inspector of Police,
Ammapatti Police Station,
Virudhunagar District
(Crime No.47 of 2023)

... 1st Respondent/Complainant

2.Dhivyaprakash

Represented by his mother Vijayarani

... 2nd Respondent/Defacto -
Complainant

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the First Information Report in Crime No.47 of 2023, dated 13.09.2023, on the file of the Inspector of Police, Ammapatti Police Station, Virudhunagar District and quash the same.



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For Petitioners : Mr.P.Saravanakumar

For R1 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)

For R2 : Mr.S.Prasanth

ORDER

The Criminal Original Petition has been filed to quash the First Information Report in Crime No.47 of 2023, dated 13.09.2023, on the file of the Inspector of Police, Ammapatti Police Station, Virudhunagar District.

2. Eventhough a joint compromise memo has been filed, it is seen that the defacto complainant is a minor. Similarly, the original 2nd accused arrayed in this case is also a minor. Therefore, the case should have been dealt under Juvenile Justice (Care and Protection of Children) Act, 2015 in respect of him.

3. However, the defacto complainant's guardian and mother, namely Vijayarani, is present before this Court, and she consents on behalf of the defacto complainant. Since the 1st accused/Hafiez Govind and the



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defacto complainant have settled the issue, I am inclined to quash the proceeding.

4. In any event, no further proceedings have taken place. Considering the nature of the offences, and considering the fact that both the sides have compromised the issue, I am inclined to exercise the inherent power of this Court under Section 482 of the Code of Criminal Procedure.

5. Accordingly, the Criminal Original Petition stands allowed. The case, in Crime No.47 of 2023 on the file of the Inspector of Police, Ammapatti Police Station, Virudhunagar, shall stand quashed.

30.08.2024

NCC : Yes / No
mkn

To

- 1.The Inspector of Police,
Ammapatti Police Station,
Virudhunagar District
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai



WEB COPY



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D.BHARATHA CHAKRAVARTHY, J.

mkn

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