



Crl.O.P.(MD)No.2135 & 1978 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.03.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)Nos.2135 & 1978 of 2024

and

Crl.M.P.(MD)Nos.1626, 1486 & 1627 of 2024

Crl.O.P.(MD)No.2135 of 2024

1. John Britto
2. Jesudhas
3. Robert
4. John

... Petitioners

Vs.

1. State represented by
The Inspector of Police,
Ethamozhi Police Station,
Ethamozhi,
Kanyakumari.
(In Crime No.306 of 2020)

2. Shaya Francis Mahendran

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records connection of case in CC.127 of 2022 on the file of learned Additional Mahil Court (Magisterial Level), Nagercoil and quash the same as against the Petitioner/sole accused.



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For Petitioners : Mr.Niranjan S Kumar
For R-1 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)
For R-2 : Mr.K.Ramanan

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1. Francis Mahendran @ Sahaya Francis Mahendran
2. Antony @ Micheal Antony
3. Soodas @ Sahaya Antony Jude
4. Rooban @ Anjaloos Ruban
5. Melanin @ Melaniya
6. Steephen @ Antony George Stephen ... Petitioners

Vs.

1. State represented by
The Inspector of Police,
Ethamozhi Police Station,
Ethamozhi District
(In Crime No.305 of 2020)
2. Joseph Respalin
3. Dasan @ Jesudhas ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records relating to the proceedings of the First Information Report in Crime No.305 of 2020 on the file of the first Respondent and quash the same.

For Petitioners : Mr.K.Vamanan
For R-1 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)
For R-2 & R-3 : M/S.S.Bharathi



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COMMON ORDER

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The learned Counsel for the Petitioners submitted that the Petitioners had filed the petition in Crl.O.P.(MD)No.2135 of 2024, seeking to quash the charge-sheet filed in C.C.No.127 of 2024 on the file of the learned Judicial Magistrate, Additional Mahila Court (Magisterial Level), Nagercoil and the petition in Crl.O.P.(MD)No.1978 of 2024, seeking to quash the F.I.R in Crime No.305 of 2020 on the file of the Inspector of Police, Ethamozhi Police Station, Kanniyakumari District.

2.The learned Counsel for the Petitioners and the learned Counsel for the de-facto Complainant had filed vakalat and the Joint Compromise Memo also filed stating that the accused and the de-facto Complainant had arrived at a compromise. To verify the same, the Investigation Officer was directed to file a status report and he had also filed the status report.

3.The learned Government Advocate (Criminal Side) on instructions of the Respondent Police would submit that the compromise arrived at between the parties are bonafide.

4.In the light of the joint memo, filed by both the parties through their

respective Counsels, the case in C.C.No.127 of 2022 learned Judicial



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Magistrate, Additional Mahila Court (Magisterial Level), Nagercoil and the
F.I.R in Crime No.305 of 2020, are hereby quashed.

5.In view of the above, both the Criminal Original Petitions are
allowed. Consequently, connected miscellaneous petitions are closed.

06.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
jbr

To

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



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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

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