

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 31.07.2015****CORAM****THE HONOURABLE MR.JUSTICE M.M.SUNDRESH****Crl.O.P (MD) No.12782 of 2015**

WEB COPY

S.Raja @ Parthiparaja

... Petitioner/Accused No.1

-Vs-

1.The State rep. By

The Sub-Inspector of Police,

Mukkudal Police Station,

Tirunelveli District.

(Crime No.17 of 2012) ...1st Respondent/Complainant

2.Xavier

...2nd Respondent/Defacto complainant

PRAYER:- Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 praying to call for the entire records pertaining to the case in C.C.No.352 of 2012 pending on the file of the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District and quash the same.

For Petitioner

: Mr.R.Anand

For R - 1

: Mr.K.Anbarasan

Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to call for the entire records pertaining to the case in C.C.No.352 of 2012 pending on the file of the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District and quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent.

3. The petitioner is arrayed as an accused in Crime No.17 of 2012 for the alleged offences under Sections 294(b), 326 and 506(ii) of the Indian Penal Code and after investigation, the case has been taken on file in C.C.No.352 of 2012 on the file of the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District and seeking to quash the said proceedings, the present petition has been filed.

4. The allegation is that the petitioner along with others committed the alleged offence in pursuant to the quarrel.



5. When the matter is taken up for hearing, a joint memo of compromise has been filed by both parties stating that there is no necessity to proceed further in future and the same has also been signed by both the parties.

6. Taking into consideration of the facts and circumstances and also after going through the relevant records, this Court is inclined to quash the proceedings.

7. Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.352 of 2012 on the file of the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District is quashed. The said memo of compromise is taken on record.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

ps

To

- 1.The Judicial Magistrate,
Cheranmahadevi, Tirunelveli District.
- 2.Do through The chief Judicial Magistrate, Tirunelveli District.
- 3.The Sub-Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.12782 of 2015
31.07.2015

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