



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P(MD)No.15737 of 2014

1.P.Alangamoni
2.A.Senthil
3.A.Livingston
4.Shyju

... Petitioners/Accused Nos.1 to 4

Vs.

1.State through by,
The Inspector of Police,
Thuckalay Police Station,
Thuckalay,
Kanyakumari District.
Crime No.539 of 2012 ... 1st Respondent/Complainant

2.Jabin ... 2nd Respondent/De-facto complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 praying to call for the records in S.T.C.No.625 of 2012 on the file of the learned Judicial Magistrate, Padmanabhapuram and quash the same.

For Petitioners : Mr.P.Vinoth
for Mr.A.Levis Senthil Kumar

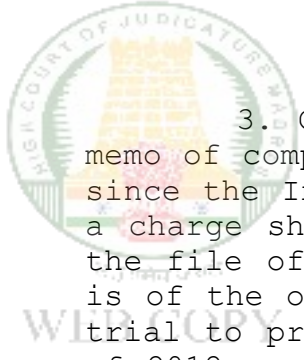
For R - 1 : Mr.A.P.Balasubramani
Government Advocate(Crl. Side)

For R - 2 : Mr.Satheesh Kumar

ORDER

The quash petition has been filed by the petitioners seeking to quash the proceedings in S.T.C.No.625 of 2012 on the file of the learned Judicial Magistrate, Padmanabhapuram.

2. It is seen that the alleged offences attributed against the petitioners are under Sections 341 and 323 of the Indian Penal Code. When the matter is taken up for hearing, the petitioners and the second respondent appeared in person and their identification is also verified by this Court and the learned counsel appearing for the petitioners and the learned counsel appearing for the second respondent filed a memo of compromise stating that since the matter has been compromised, the second respondent agreed to quash the above said case in S.T.C.No.625 of 2012 pending on the file of the learned Judicial Magistrate, Padmanabhapuram.



3. Considering the nature of allegation and also considering the memo of compromise filed by the petitioners and the second respondent and since the Investigating Agency, on completion of investigation, has filed a charge sheet, which has been taken on file in S.T.C.No.625 of 2012 on the file of the learned Judicial Magistrate, Padmanabhapuram, this Court is of the opinion that no useful purpose would be served by allowing the trial to proceed with. Therefore, the entire proceedings in S.T.C.No.625 of 2012 on the file of the learned Judicial Magistrate, Padmanabhapuram, in respect of the petitioners alone is, hereby, set aside and the Criminal Original Petition is allowed accordingly. The joint compromise memo shall form part of the order of this Court.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Thuckalay Police Station,
Thuckalay, Kanyakumari District.

2.The Judicial Magistrate, Padmanabhapuram

3.-do-thro The Chief Judicial Magistrate, Kanyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.P.Vinoth, Advocate SR.No.62704

SH:AMF:17.11.2015:2P/6C

Encl:Joint Compromise memo-6c

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