



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2015

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD) No. 15766 of 2015

WEB COPY

1.Brightlin Vigil

2.Arulsahar

... Petitioners/A2 & 3

Vs.

1. The State of Tamil Nadu rep. by its
Sub Inspector of Police,
Nesamani Nagar Police Station,
Nagercoil,
Kanyakumari District.
(Crime No.51/2011)

... 1st Respondent / Complainant

2. Maria John

... 2nd Respondent / Defacto

Complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to call for the entire records relating to the impugned charge sheet in C.C.No.65 of 2012 on the file of the Judicial Magistrate No.II, Nagercoil and quash the same insofar as the petitioners herein / Accused Nos.2 and 3.

For Petitioner	:	Mr.S.Veeranasamy
For R1	:	Mrs.S.Prabha
		Govt. Advocate (Crl.Side)
For R2	:	Mr.A.Thiruvadikumar

O R D E R

This petition has been filed seeking to quash the proceedings in in C.C.No.65 of 2012 on the file of the Judicial Magistrate No.II, Nagercoil, insofar as the petitioners herein / Accused Nos.2 and 3, pursuant to the amicable settlement effected between the parties.

2. It is seen that a case in Crime No.51 of 2011 for the alleged offences under Sections 447, 341, 294(b) and 506(ii) of I.P.C. has been registered against the petitioners/A2 and 3. After completion of the investigation, the 1st respondent has filed a charge sheet, which was duly taken on file in C.C.No.65 of 2012 by the Judicial Magistrate No.II, Nagercoil.

3. When this matter is taken up for hearing, the petitioners / Accused Nos.2 and 3 and the second respondent appeared in persons and their identification were also verified by this Court, in addition to the confirmation of the identity of the parties by the



Government Advocate (Crl.Side) through the respondent Police.

4. The counsel appearing for the petitioners filed this quash petition along with a Joint Memo of Compromise duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the second respondent has agreed for quashing of the above case in C.C.No.65 of 2012 pending on the file of the Judicial Magistrate No.II, Nagercoil, Kanyakumari District.

5. Considering the nature of allegations and also considering the memo of compromise, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, the entire proceedings in C.C.No.65 of 2012 pending on the file of the Judicial Magistrate No.II, Nagercoil, Kanyakumari District in respect of the petitioners/accused Nos.2 and 3 alone are hereby quashed.

Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint memo of compromise shall form part of this order.

Sd/-

Assistant Registrar(Writ)

/TRUE COPY/

Sub Assistant Registrar

srm

To:

1. The Judicial Magistrate No.II,
Nagercoil, Kanyakumari District.
2. The Sub Inspector of Police,
Nesamani Nagar Police Station,
Nagercoil,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

JAM/11.12.15/ PM/2P-4C

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