



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2016

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

CrI.O.P.(MD) No.17701 of 2016

1.Moorthy
2.Ganesh Prabu .. Petitioners/Accused Nos.1 & 2
-Vs-

1.State represented by
The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District.
(Crime No.481 of 2013) ... Respondent/Complainant

2.Selvakumar ... Respondent/Defacto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to call for the records in C.C.No.83 of 2014 on the file of the Judicial Magistrate No.II, Virudhunagar and quash the same.

For Petitioners: Mr.S.Ramasamy

For Respondents: Mr.K.Anbarasan
Govt. Advocate (CrI.Side)
for R.1
: Mr.R.Ramachandran
for R.2

O R D E R

This petition has been filed to call for the records in C.C.No.83 of 2014 on the file of the Judicial Magistrate No.II, Virudhunagar and quash the same to the petitioners alone.

2. Heard the learned Counsel for the petitioners, the learned Government Advocate (CrI.Side) appearing for the first respondent and the learned Counsel appearing for the second respondent.

3. Based on the complaint given by the second respondent/defacto complainant, a case has been registered against the petitioners in Cr.No.481 of 2013 for offences under Sections 341, 294(b), 324, 326 and 506(ii) I.P.C., on the file of the first respondent. The said case is now pending before the Judicial Magistrate No.II, Virudhunagar, Virudhunagar District in C.C.No.83 of 2014. The said proceedings are challenged before this Court.



4. When the matter was called on 26.09.2016 both the petitioners as well as the second respondent are present before this Court and they categorically made a statement that the dispute between them have been settled amicably. They also filed a joint compromise memo dated 15.09.2016 duly signed by both parties and counter signed by their respective Counsel. They would also further submit that they are ready to donate Rs.10,000/- each to Harijan Sevak Sangh.

5. In view of the above, this Court directed the parties to pay Rs.10,000/- each to Tamil Nadu Harijan Sevak Sangh, N.M.R.Subbaraman Memorial Residential Primary School Campus, 12, Dr.Thangaraj Road, Vinayaga Nagar, Opposite to Madurai Law College, Madurai -20 and also this Court dispensed with the appearance of the parties.

6. Today when the matter is called, the receipt has been filed. In view of the statements made by the parties and the joint compromise memo filed by them, no fruitful purpose will be achieved to proceed further in this matter.

7. In view of that, the impugned proceedings in C.C.No.83 of 2014, on the file of the Judicial Magistrate No.II, Virudhunagar, Virudhunagar District is hereby quashed and the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To:

1.The Judicial Magistrate No.II, Virudhunagar

2.

2. The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District.

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

+1cc to MR.S.Ramasamy, Advocate SR.No.58052

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