



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2017

CORAM

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

CrI.O.P.(MD) No.20239 of 2015
and
M.P.(MD) Nos. 1 and 2 of 2015

1.Maheshwari
2.Bharathi
3.Selvam @ Manikandan
4.Baskaran

...Petitioners/Accused Nos.A1 to A4

-Vs-

1.The Inspector of Police,
Theni Police Station,
Theni.
(In Crime No.524 of 2014)

...1st Respondent/Complainant

2.Madan Kumar

... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the charge sheet in C.C.No.183 of 2015 pending before the Judicial Magistrate, Theni in Crime No.524 of 2014 alleged offences under Sections 448, 294(b), 506(ii) and 109 of IPC on the file of the first respondent, dated 02.08.2014 and quash the same.

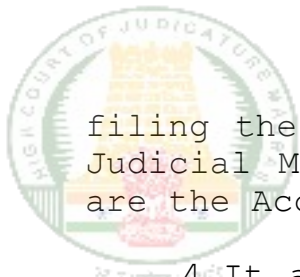
For Petitioners	:Mr.V.Santhakumaresan
For R-1	:Mr.K.Anbarasan, Government Advocate(Crl. side).
For R-2	:Mr.C.Ezhilarasu

O R D E R

This Criminal Original Petition has been filed to quash the charge sheet in C.C.No.183 of 2015 pending before the Judicial Magistrate, Theni in Crime No.524 of 2014.

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

3.Based on the complaint lodged by the second respondent, against the petitioners, a case was registered in Crime No.524 of 2014, on the file of the first respondent police, for the offences punishable under Sections 448, 294(b), 506(ii) and 109 IPC. After



filing the charge sheet, the case was taken on file by the learned Judicial Magistrate, Theni, in C.C.No.183 of 2015. The petitioners are the Accused Nos.1 to 4.

4. It appears that on the advice of close relatives and elders, the parties have entered into compromise and a Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed to quash the charge sheet in C.C.No.183 of 2015.

5. The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own will and free volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Government Advocate (Criminal side) through the first respondent police.

6. Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence the charge sheet in C.C.No.183 of 2015 on the file of the learned Judicial Magistrate, Theni, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petition is allowed. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Theni Police Station, Theni.

2. The Judicial Magistrate, Theni.

Cmr

JS/SKN.RSK/SAR.1/9.10.2017/2P-3C

Cr1.O.P. (MD) No.20239 of 2015
and
M.P. (MD) Nos. 1 and 2 of 2015
20.09.2017