



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDARCr1.O.P.(MD) Nos.10038 and 10039 of 2017Cr1.O.P.(MD) No.10038 of 2017:-

- 1.Muthuselvan
- 2.Parthiban
- 3.Sudalai
- 4.Maniselvam
- 5.Pattani

... Petitioners/Accused No. 1 to 5

-Vs-

- 1.The State represented by
The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District.
(In Crime No.410 of 2013)

... 1stRespondent/Complainant

2. Pachimuthu

... 2ndRespondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the proceedings in C.C.No.24 of 2014 on the file of the Learned Judicial Magistrate, Tiruchendur and quash the same.

For Petitioners : Mr.A.Robinson
For R-1 : Mr.K.Anbarasan,
Government Advocate(Cr1.side).
For R-2 : Mr.R.Ramachandran

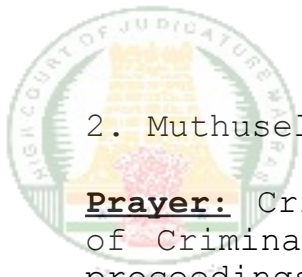
Cr1.O.P.(MD) No.10039 of 2017:-

- 1.Pachimuthu
- 2.Lingakumar
- 3.Kannan
- 4.Vellaithurai

... Petitioners/Accused No. 1 to 4
-Vs-

- 1.The State represented by
The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District.

<https://hcservices.ecourts.gov.in/hcservices/>
(In Crime No.411 of 2013) ... 1st Respondent/Complainant



2. Muthuselvan

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the proceedings in C.C.No.67 of 2014 on the file of the Learned Judicial Magistrate, Tiruchendur and quash the same.

For Petitioners : Mr.R.Ramachandran
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 : Mr.A.Robinson

COMMON ORDER

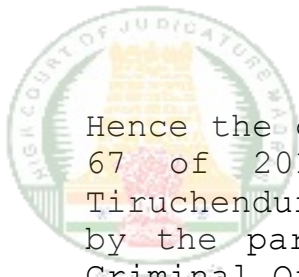
The Criminal Original Petition in Crl.O.P.(MD) No.10038 of 2017 has been filed to quash the proceedings in C.C.No.24 of 2014, on the file of the learned Judicial Magistrate, Tiruchendur. The petitioners are accused Nos.1 to 5 in Crime No.410 of 2013, registered for the offences punishable under Sections 294(b), 323, 324, and 506(ii) I.P.C. Pursuant to the filing of charge sheet, the case was taken on the file of learned Judicial Magistrate, Tiruchendur, in C.C.No.24 of 2014.

2.The Criminal Original Petition in Crl.O.P.(MD) No.10039 of 2017 has been filed to quash the proceedings in C.C.No.67 of 2014 on the file of the learned Judicial Magistrate, Tiruchendur. The petitioners are accused Nos.1 to 4 in Crime No.411 of 2013, registered for the offences punishable under Sections 294(b), 323, 324, and 506(ii) I.P.C. Pursuant to the filing of charge sheet, the case was taken on the file of learned Judicial Magistrate, Tiruchendur, in C.C.No.67 of 2014.

3.From the reading of the petitions filed in both cases, it appears that at the advise of the elders and friends, the petitioner and second respondent have agreed to compromise the matter out of Court. A Joint Compromise Memo, dated 28.07.2017, is also filed to that effect. As per the Joint Compromise Memo, the parties have mutually agreed to compromise the case, to maintain mutual relationship and they have also agreed to quash the entire proceedings culminating in C.C.Nos.24 and 67 of 2014.

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

5. Having regard to the agreement made between the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. As per the Compromise Memo signed by the parties, they have agreed to quash the proceedings against them.



Hence the criminal proceedings culminating in C.C.Nos.24 of 2014 and 67 of 2014 on the file of the learned Judicial Magistrate, Tiruchendur, is quashed in *toto* and the Joint Compromise Memo signed by the parties shall form part of the order. Accordingly, these Criminal Original petitions are allowed.

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Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.RAMACHANDRAN Advocate in SR. No.70078

+1cc to Mr.A.ROBINSON Advocate in SR. No.70079

CMR/GSP

JS/GT/SAR.4/21.08.2017/ 3P-5C

Crl.O.P.(MD) Nos.10038 and 10039 of 2017
03.08.2017