



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) No.10221 of 2017

1. Vellaichamy
2. Vijayakumar
3. Ashokkumar

... Petitioners/Accused Nos.1 to 3

Vs.

1. State rep. by,
The Sub Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(Crime No.280 of 2016)

... Respondent/Complainant

2. Palanichithra

... Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records of the case in P.R.C. No.17 of 2017 pending on the file of the learned Judicial Magistrate, Ilayankudi, Sivagangai District, and to quash the same.

For Petitioners : Mr.S.Muthukumar
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).
For R-2 : Mr.S.P.Bharathi Raja

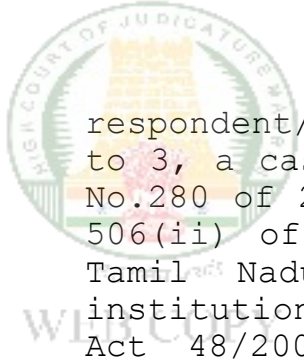
O R D E R

This Criminal Original petition is filed for quashing the criminal case in P.R.C.No.17 of 2017 pending on the file of the learned Judicial Magistrate, Ilayankudi, Sivagangai District.

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

<https://hcservices.ecourts.gov.in/hcservices/>

3. On the basis of the complaint lodged by the second



respondent/defacto complainant against the petitioners/accused Nos.1 to 3, a case was registered by the first respondent police in Crime No.280 of 2016 for the offence under Sections 294(b), 332, 354(A), 506(ii) of I.P.C., Section 4 of TNPWH Act, 2002 and Section 3 of Tamil Nadu Medical Service Prison and Medical care service institution (Prevention of Violence and damage and loss to property) Act 48/2000. Thereafter, Charge Sheet was filed by the first respondent police and the same was taken on file in P.R.C.No.17 of 2017 on the file of the learned Judicial Magistrate, Ilayankudi, Sivagangai District.

4. After the filing of the Charge Sheet, it appears that the petitioners and the second respondent/defacto complainant have settled their dispute amicably out of Court, on the advise of the elders and well wishers. The parties also have entered into a compromise. The Joint Compromise Memo, dated 01.08.2017, signed by the petitioners and the defacto complainant along with their counsel is produced before this Court. As per the Joint Compromise Memo, the second respondent agreed not to proceed with the criminal case and to withdraw his complaint.

5. The parties appeared today before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memo on their own free will and 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, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the criminal case in P.R.C.No.17 of 2017 on file of the learned Judicial Magistrate, Ilayankudi, Sivagangai District, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar (Crl.side)

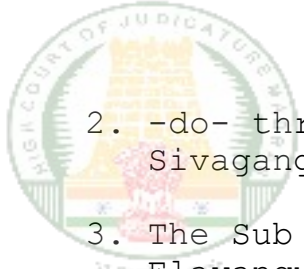
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Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

1. The Judicial Magistrate,
<https://hcservices.ecourts.gov.in/hcservices/>,
 Ilayankudi, Sivagangai.



2. -do- through The Chief Judicial Magistrate,
Sivagangai District.

3. The Sub Inspector of Police,
Elayangudi Police Station,
Sivagangai District.

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

+ 1 CC TO Mr.S.MUTHUKUMAR, ADVOCATE IN SR No. 70439

PMU

TE/JC/SAR-III : 30/08/2017 : 3P/6C

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