



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.10389 of 2017

Jeyakumar

... Petitioner/2nd accused**-Vs-**

1. State represented by
The Inspector of Police,
Oomatchikulam Police Station,
Madurai District.

... Respondent/Complainant

2. Jeyapal

... 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.256 of 2016 on the file of the learned Judicial Magistrate No.V., Madurai and quash the same.

For Petitioner	: Mr.A.Mohamed Yusuf
For R1	: Mr.K.Anbarasan Government Advocate (Crl.Side)
For R2	: MrK.Navneetharaja

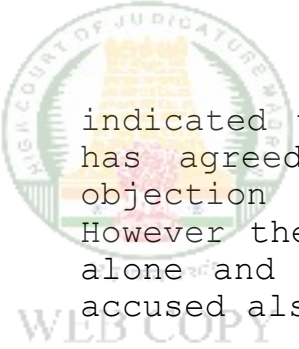
ORDER

This Criminal Original petition has been filed for quashing the Charge Sheet in C.C.No.256 of 2016 on the file of the learned Judicial Magistrate No.V, Madurai.

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

3. On the basis of complaint lodged by the de-facto complainant, a case was registered for the offences punishable under Sections 147, 148, 294(b), 323, 324, 336 and 506(ii) I.P.C. After Charge Sheet was filed, the case was taken on file in C.C.No.256 of 2016 on the file of the learned Judicial Magistrate No.V, Madurai.

4.It appears that at the advise of the elders and friends, the second accused, namely, the petitioner and de-facto complainant have agreed to compromise the matter out of Court. A Joint Compromise Memo, dated 01.08.2017, is also filed. The Joint Compromise Memo,



indicated that the de-facto complainant, namely, second respondent has agreed to withdraw the criminal case and expressed his no objection for quashing the charge sheet in C.C.No.256 of 2016. However the Joint Compromise Memo has been signed by the petitioner alone and the terms of compromise extend to the benefit of other accused also.

5.The petitioner and the second respondent 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.

6. 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, the de-facto complainant, namely, the second respondent has agreed to quash the proceedings even against the first accused. Hence the criminal proceedings culminating in C.C.No.256 of 2016 on the file of the learned Judicial Magistrate No.V., Madurai, is quashed in *toto* and the Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

1. The Judicial Magistrate No.V., Madurai.
2. The Inspector of Police,
Oomatchikulam Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.A.MOHAMED YUSUF, ADVOCATE IN SR No. 71971

GSP/CMR

TE/MR-KKR/SAR-I : 23/08/2017 : 2P/5C

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

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