



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2017

CORAM :

WEB COPY

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

CRL OP(MD)No.10840 of 2017

1. A.Hasan  
2. H.Sarbunisha ... Petitioners/Accused Nos.2 & 3  
Vs.  
1.The Sub Inspector of Police,  
Peravoorani Police Station,  
Thanjavur District.  
(Crime No.21 of 2014) ... 1<sup>st</sup> Respondent /Complainant  
2.Sheik Abdulla ... 2<sup>nd</sup> Respondent/De-facto Complainant

**PRAYER:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to C.C.No.44 of 2015 on the file of the learned Judicial Magistrate, Pattukottai, and to quash the same.

For Petitioners : Mr.K.Baalasundharam  
For R-1 : Mr.K.Anbarasan,  
Government Advocate(Crl.Side)  
For R-2 : Mr.S.T.Sasidharan Tamilkani

**O R D E R**

This Criminal Original petition is filed for quashing the criminal proceedings in C.C.No.44 of 2015 on the file of the learned Judicial Magistrate, Pattukottai.

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.

3.The petitioners are the accused Nos.2 and 3 in Crime No.44 of 2015 on the file of the first respondent police. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.21 of 2014, for the offences under Sections 294(b), 352 and 506(i) I.P.C.

4. After filing of the Charge Sheet, the case was taken on file in C.C.No.44 of 2015 on the file of the learned Judicial Magistrate, Pattukottai.

5. The first accused, namely, one Tajudeen is the maternal uncle of the defacto complainant and the accused Nos.2 and



3/petitioners herein are the paternal uncle and aunty of the defacto complainant.

6. It appears that the parties, namely, the petitioners and the second respondent have settled their dispute amicably out of Court, on the advise of the family members and well wishers. The parties also have entered into a compromise. The Joint Compromise Memo, dated 04.07.2017, signed by the petitioners and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the parties have settled their dispute amicably, taking into consideration their welfare and to maintain peace and the defacto complainant has no objection to quash the entire proceedings as against all the accused in Crime No.21 of 2014 now pending in C.C.No.44 of 2015 on the file of the learned Judicial Magistrate, Pattukottai.

7. Today the parties, namely, the petitioners and the second respondent appeared before this Court and expressed in unequivocal terms that they have signed 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.

8. 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 proceedings in C.C.No.44 of 2015 on the file of the learned Judicial Magistrate, Pattukottai, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CRL.SIDE)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Pattukottai.
  - 2.-do-Thro' The Chief Judicial Magistrate,  
Thanjore District.
  - 3.The Sub Inspector of Police,  
Peravoorani Police Station,  
Thanjavur District.
  - 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
- +2cc to Mr.K.BAALASUNDHARAM Advocate in SR. No.77090

pmu

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

JS/MR.KRR/SAR.4/19.09.2017/3P-7C

CRL OP(MD)No.10840 of 2017

06.09.2017