



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.10976 of 2017

1.Raaku
2.M.Muthu Krishnan
3.Muthumaanikam ...Petitioners/Accused No.1 to 3

-Vs-

1.The State represented by,
The Sub Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District,
(In Crime No.171 of 2016) ...1st Respondent/Complainant

2.Vanniyanthan ... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to record the compromise reached between Petitioners/Accused Nos.1 to 3 and 2nd respondent/De-facto Complainant and call for the records in C.C.No.132 of 2017 on the file of the Judicial Magistrate Court, Manamadurai and quash the same.

For Petitioner :Mr.B.Vinoth Balan
For R-1 :Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 :Mr.P.Muthuraja

ORDER

This Criminal Original petition has been filed to record the compromise reached between Petitioners/Accused No.1 to 3 and 2nd respondent/De-facto Complainant and call for the records in C.C.No.132 of 2017 on the file of the Judicial Magistrate Court, Manamadurai and quash the same.

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 given by the second respondent, against the petitioners, a case was registered in Crime No.171 of 2016 on the file of the first respondent for the offences punishable



under Sections 294(b), 323 and 506(ii) I.P.C. After the charge sheet was filed, the case was taken on file in C.C.No.132 of 2017 on the file of the learned Judicial Magistrate Court, Manamadurai.

4. It appears that at the advise of the elders and friends, the petitioners and the second respondent have agreed to compromise the matter out of Court. A Joint Compromise Memo, dated 17.08.2017, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, second respondent has given his consent to quash the entire proceedings in C.C.No.132 of 2017 in favour of the petitioners.

5. 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.

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 against all the accused. Hence the criminal proceedings in C.C.No.132 of 2017 on the file of the learned Judicial Magistrate Court, Manamadurai, 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.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Sub Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
2. The Judicial Magistrate Court,
Manamadurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CMR/LS

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

JS/RR/SAR.1/6.9.2017/2P-4C

CrI.O.P. (MD) No.10976 of 2017
24.08.2017