



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) No.11088 of 2017

1.Sangu Murugan
2.M.Jesintha
3.Vinoth Rajasekaran
to 3

... Petitioners / Accused Nos.1

-Vs-

1. The State represented by
The Inspector of Police,
All Women Police Station,
Kodaikanal.
(Crime No.7 of 2016)

... Respondent/Complainant

2. Angaleswari

... Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records pertaining to FR No.10 of 2016 on the file of the learned Judicial Magistrate, Kodaikanal, in Crime No.7 of 2017 pending on the file of the first respondent police and quash the same.

For Petitioners : Mr.M.Paramasivam
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 : Mr.M. Fernand

O R D E R

This Criminal Original petition is filed to call for records to call for records pertaining to FR No.10 of 2016 on the file of the learned Judicial Magistrate, Kodaikanal, in Crime No.7 of 2017 pending on the file of the first respondent police and quash the same.

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. On the basis of the complaint preferred by the second respondent / de facto complainant, a case was registered by the first respondent police in Crime No.7 of 2016 for the offences under Sections 294(b), 506(i) of IPC and 23(4) of POSCO Act against the petitioners herein. Thereafter, the first respondent police has filed a charge sheet before the learned Judicial Magistrate, Kodaikanal and the same was taken on file in FR.No.10 of 2016.

4. It appears that parties viz., petitioners and the de facto complainant have settled their dispute amicably out of Court, at the instigation of the elders and well wishers. The parties have signed in the Joint Compromise Memo dated 17.08.2017, pursuant to the compromise reached between them.

5. The parties appeared before this Court and stated in unequivocal terms that the Joint Compromise Memo was signed by them 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. Though the identities could not be verified by the respondent police, this Court is inclined to proceed and dispose of the Criminal Original petition, on the basis of the Compromise Memo, as the appearance of the parties and their individual identity have been confirmed by the respective counsels.

6. In the Compromise Memo, the de facto complainant has agreed to withdraw the criminal case and the petitioners / Accused Nos.1 to 3 and second respondent have requested this Court to quash the proceedings in FR.No.10 of 2016 on the file of the learned Judicial Magistrate, Kodaikanal.

7. In the said circumstances, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, on the basis of the compromise memo signed by the parties, the Criminal Original petition is allowed and the proceedings pending in FR.No.10 of 2016 on the file of the learned Judicial Magistrate, Kodaikanal, is quashed *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

<https://hccs.mca.gov.in/hccs/> of Compromise memo

1.The Judicial Magistrate,
Kodaikanal



2.-do- Thro' The Chief Judicial Magistrate,
Dindigul.

3. The Inspector of Police,
All Women Police Station,
Kodaikanal.

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

Trp
AE/JC/SAR1/13.09.2017/3P/5C

CrI.O.P. (MD) No.11088 of 2017
23.08.2017