



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) No.11154 of 2017

1. Anis Mohammed Salin

2. Aayisha

... Petitioners/Accused Nos.1 & 2

Vs.

1. The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District.

(Crime No.229 of 2015)

... 1st Respondent/Complainant

2. Paramasivam

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the case in C.C.No.240 of 2015 on the file of the Judicial Magistrate Court No.IV, Tirunelveli and to quash the same as the matter is amicably settled between the parties.

For Petitioners

: M/s.R.Gandhi

For R-1

: Mr.K.Anbarasan,

Government Advocate(Crl.Side).

For R-2

: Mr.G.Prabhu Rajadurai

O R D E R

This Criminal Original petition is filed for quashing the case in C.C.No.240 of 2015 on the file of the Judicial Magistrate Court No.IV, Tirunelveli, as the matter is amicably settled between the parties.

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 the complaint lodged by the second respondent/defacto complainant, a case was registered by the first respondent police in Crime No.229 of 2015 as against the



petitioners for the offences under Sections 341, 294(b), 506(ii), 448 and 427 I.P.C. After filing of the Charge Sheet, the case was taken on file in C.C.No.240 of 2015 before the learned Judicial Magistrate No.IV, Tirunelveli.

4. It appears that the petitioners and the defacto complainant have settled their dispute amicably, at the instance of the elders and other parties. The parties also have entered into a compromise. The Joint Compromise Memo signed by the parties in the presence of their respective counsels is produced before this Court.

5. The parties 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.

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 C.C.No.240 of 2015 on the file of the learned Judicial Magistrate No.IV, Tirunelveli, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

Joint Compromise memo xerox copies are enclosed

1.The Judicial Magistrate No.IV, Tirunelveli.

2.Do-thro'The Chief Judicial Magistrate, Tirunelveli.

3. The Inspector of Police,
Tirunelveli Town Police Station,Tirunelveli District.

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

+1cc to M/S.R.GANDHI, Advocate SR.No.75518

pmu

MAS/MR-KKR/SAR3:12.09.2017:2P-6C