



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2017

CORAM :

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P(MD)No.11211 of 2017

1. Balu @ Balasubramani
2. Pandeewaran
3. Rajeswaran
4. Vellaisami

... Petitioners/Accused Nos.1 to 4

Vs.

- 1.State Rep. by,
The Inspector of Police,
Malli Police Station,
Virudhunagar District.
(In Crime No.218 of 2013)

... 1st Respondent/Complainant

2. Ilangovan

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to Charge Sheet in C.C.No.224 of 2014 on the file of the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District, and to quash the same.

For Petitioners : Mr.G.Karuppasamy Pandian

For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).

For R-2 : Mr.R.Jenifar Bibin

O R D E R

This Criminal Original petition is filed for quashing the Charge Sheet in C.C.No.224 of 2014 on the file of the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District.

<https://hcservices.courts.gov.in/hcservices/>
2. Read 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. The petitioners are the accused Nos.1 to 4 in Crime No.218 of 2013 on the file of the first respondent. On the basis of the complaint lodged by the second respondent, a case was registered against the petitioners in Crime No.218 of 2013 for the offences under Sections 294(b), 323, 324 and 506(ii) I.P.C @ 294(b), 323, 326 and 506(ii) I.P.C.

4. After filing of the Charge Sheet, the case was taken on file in C.C.No.224 of 2014 before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District.

5. It appears that the petitioners and the second respondent/defacto complainant are relatives and they have settled their dispute amicably out of Court, on the advise of the family members and elders. The parties also have entered into a compromise. The Joint Compromise Memo signed by the petitioners and the defacto complainant in the presence of their counsels is produced before this Court. As per the Joint Compromise Memo, the parties have agreed to quash the Charge Sheet in C.C.No.224 of 2014 on the file of the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District.

6. Except the third petitioner, the other 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 documents produced by the parties before this Court. The identity of the parties are also confirmed by the defacto complainant, namely, the second respondent herein. The identity of the parties also also ascertained by the learned Government Advocate(Criminal Side) through the first respondent police.

7. 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.224 of 2014 on the file of the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(T&P)

/True Copy/



TO
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(*) COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH

1. The Judicial Magistrate No.II, Srivilliputhur,
Virudhunagar District.
2. The Inspector of Police,
Malli Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+One cc to M/s.G.Karuppasamy Pandian, Advocate, SR.No.76424

pmu
RL/5C/2P/SV/MMS/SAR1/14/9/2017

CRL OP(MD)No.11211 of 2017

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