

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED:29.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**CRL.O.P. (MD)No.11342 of 2017**

Preethi

: Petitioner/Accused

-Vs-

1. The State represented by
The Inspector of Police,
Chekkanoorani Police Station,
Madurai District.
(In Crime No.173 of 2016)

: Respondent/Complainant

2.P.Selvam

: 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records in Spl.S.C.No.55 of 2017 on the file of the learned II Additional District Judge (PCR Cases), Madurai and quash the same.

For Petitioner : Mr.S.S.GnanaSekaran

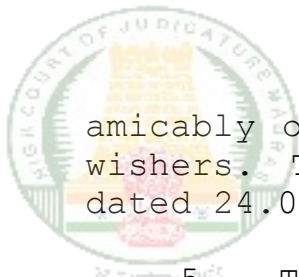
For 1st Respondent : Mr.K.Anbarasan,
Government Advocate(Crl.Side)For 2nd respondent : Ms. A.S. Rajeswari**O R D E R**

This Criminal Original petition is filed to call for records to call for the records in Spl.S.C.No.55 of 2017 on the file of the II Additional District Judge (PCR Cases), Madurai 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 the complaint preferred by the second respondent / defacto complainant, a case was registered by the first respondent police in Crime No.173 of 2016 for the offences under Sections 323 of IPC r/w. 3(2)(Va) of SC/ST Amendment Act, 2015. Thereafter, the respondent police filed charge sheet before the learned II Additional District Judge (PCR Cases), Madurai and the same was taken on file in Spl.S.C.No.55 of 2017.

1. It appears that parties viz., petitioner and the second respondent / 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 24.08.2017, pursuant to the compromise reached between them.

5. The parties appeared before this Court and expressed in unequivocal terms, the Joint Compromise Memo signed by them was on their own 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. In the joint Compromise Memo, the de facto complainant has agreed to quash the proceedings in Spl.S.C.No.55 of 2017 on the file of the learned II Additional District Judge (PCR Cases), Madurai.

7. Having regard to the specific terms in the joint compromise memo signed by the parties before this Court, 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 Spl.S.C.No.55 of 2017 on the file of the II Additional District Judge (PCR Cases), Madurai, is quashed toto and the Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

(Encl. Xerox copy of compromise memo)

1. The learned II Additional District Judge (PCR Cases), Madurai.
2. The Inspector of Police,
Chekkanoorani Police Station, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S. A.S.RAJESWARI, Advocate, SR.No.75121.

+1cc to M/S. S.GNNASEKARAN, Advocate, SR.No.75120.

CRL.O.P.(MD)No.11342 of 2017

29.08.2017