



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

CRL OP (MD) No.11496 of 2017

1.Rajagopal
2.Sivanpandi Thevar
3.Murugan

... Petitioners/Accused Nos.1 to 3

Vs.

1.State Rep. by, The Deputy Superintendent of Police,
Cheranmahadevi Sub Division,
Cheranmahadevi.

2.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
(Crime No.239 of 2014)

... Respondents/Complainants

3.Issakkimuthu ... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to quash the final report filed in S.C.No.168 of 2016 (Crime No.239 of 2014) on the file of the 2nd respondent.

For Petitioners	: Mr.R.Ramachandran
For R-1 & R-2	: Mr.K.Anbarasan, Government Advocate(Crl.Side).
For R-3	: Mr.A.Abbas Mandhiri

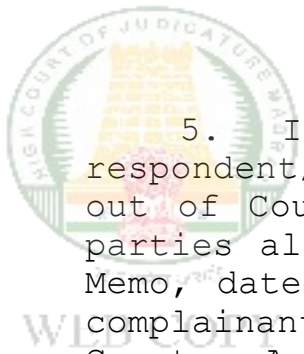
O R D E R

This Criminal Original petition is filed for quashing the criminal proceedings in S.C.No.168 of 2016 (Crime No.239 of 2014) on the file of the 2nd respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

3. The petitioners are the accused Nos.1 to 3 in Crime No.239 of 2014 on the file of the second respondent. On the basis of the complaint lodged by the third respondent, a case was registered in Crime No.239 of 2014 for the offences under Sections 294(b), 326, 307, 506(ii) I.P.C., r/w. 3(1)(r)(s), 3(2)(V) of SC/ST Amendment Act, 2015,

4. After filing of the Charge Sheet, the case was taken on file in S.C.No.168 of 2016 before the learned Judicial Magistrate, Cheranmahadevi.



5. It appears that the petitioners and the third respondent/defacto complainant have settled their dispute amicably out of Court, on the advise of the well-wishers and elders. The parties also have entered into a compromise. The Joint Compromise Memo, dated 27.08.2017, signed by the petitioners and the defacto complainant in respect of their counsels is produced before this Court. As per the terms of the Joint Compromise Memo, the third respondent has agreed to quash the proceedings in S.C.No.168 of 2016 in order to maintain peace and good relationship.

6. The parties, namely, the petitioners and the third 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 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 second 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 S.C.No.168 of 2016 on the file of the learned Judicial Magistrate, Cheranmahadevi, in Crime No.239 of 2014 on the file of the second respondent is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

Joint compromise memo xerox copies are enclosed

1. The Judicial Magistrate, Cheranmahadevi,
2. The Deputy Superintendent of Police,
Cheranmahadevi Sub Division, Cheranmahadevi.
3. The Inspector of Police, Veeravanallur Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.M.RAMACHANDRAN, Advocate SR.No.75801

PMU

MAS/KP/SAR3:13.09.2017:2P-6C

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