



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) No.11540 of 2017

Gulasekaran

... Petitioner/Sole Accused

Vs.

1.The Deputy Superintendent of Police,
Paramakudi Division,
Ramanathapuram District.

2.The State Rep.by
The Sub-Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
(Crime No.36 of 2017)

... Respondents 1 & 2/Complainants

3.Praveen

... 3rd Respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in P.R.C.No.15 of 2017 on the file of the learned Judicial Magistrate, Paramakudi, in Crime No.36 of 2017 on the file of the 2nd respondent police and quash the same.

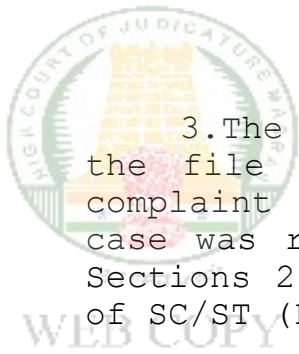
For Petitioner : Mr.G.Vishnuram
For R-1 & R-2 : Mr.K.Anbarasan,
Government Advocate (Crl.Side).

For R-3 : Mr.P.Nagarajan

O R D E R

This Criminal Original petition is filed for quashing the criminal proceedings in P.R.C.No.15 of 2017 on the file of the learned Judicial Magistrate, Paramakudi, in Crime No.36 of 2017 on the file of the second respondent police.

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 petitioner is a sole accused in Crime No.36 of 2017 on the file of the second respondent police. On the basis of the complaint lodged by the third respondent/de-facto complainant, a case was registered in Crime No.36 of 2017 for the offences under Sections 294(b), 323, 506(i) I.P.C. and Section 3(1)(r) and 3(1)(s) of SC/ST (POA) Amendment Act, 2015.

4. After filing of the Charge Sheet, the case was taken on file in P.R.C.No.15 of 2017 on the file of the learned Judicial Magistrate, Paramakudi, for the same offences.

5. It appears that the petitioner and the third respondent/de-facto complainant have settled their dispute amicably out of Court, at the instigation of the elders and well wishers. A compromise was also arrived at. The Joint Compromise Memo, dated 10.08.2017, signed by the petitioner and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise Memo, the petitioner and the third respondent have agreed to quash the criminal proceedings in P.R.C.No.15 of 2017 pending before the learned Judicial Magistrate, Paramakudi.

6. Today the parties, namely, the petitioner 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 P.R.C.No.15 of 2017 on the file of the learned Judicial Magistrate, Paramakudi, in Crime No.36 of 2017 on the file of the second respondent police is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

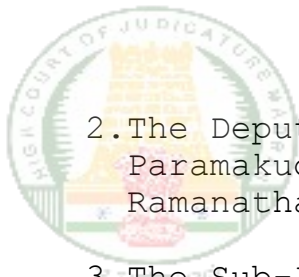
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Paramakudi.



2.The Deputy Superintendent of Police,
Paramakudi Division,
Ramanathapuram District.

3.The Sub-Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.

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

+2cc to Mr.G.VISHNURAM Advocate in SR. No.76265
PMU

JS/SV.MMS/SAR.2/13.09.2017/3P-7C

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31.08.2017