



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP(MD)No.11612 of 2017

1.R.Pandiyarajan
2.John @ John Xavier
3.K.Kailashnathan @ Hari ... Petitioners/Petitioners/
Accused Nos.1 to 3

Vs.

1.The State rep. by,
The Inspector of Police,
Karaikudi North Police Station,
Karaikudi,
Sivagangai District.
(Crime No.29 of 2017) ... Respondent/Complainant

2.N.Kannan ... Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.100 of 2017 on the file of the learned Judicial Magistrate, Karaikudi, Sivagangai District and quash the same.

For Petitioners : Mr.M.Vivekanandan
For R-1 : Mr.K.Anbarasan,
Government Advocate
(Crl.Side).
For R-2 : M/s.M.Manimegalai

O R D E R

This Criminal Original petition is filed for quashing the criminal proceedings in C.C.No.100 of 2017 on the file of the learned Judicial Magistrate, Karaikudi, Sivagangai District.

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. The petitioners are the accused No.1 to 3 in Crime No.29 of 2017. On the basis of the complaint lodged by the second respondent/defacto complainant, a case was registered in Crime No.29 of 2017 for the offences under Sections 147, 448, 341, 294 (b), 386 and 506(i) of I.P.C.

4. After filing of the Charge Sheet, the case was taken on file in C.C.No.100 of 2017 before the learned Judicial Magistrate, Karaikudi, Sivagangai District.

5. It appears that the petitioners and the second respondent/defacto complainant have settled their dispute amicably out of Court, on the advise of the neighbours and elders. The parties also have entered into a compromise. The Joint Compromise Memo, dated 27.07.2017, 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 petitioners and the defacto complainant have agreed to record the Joint Compromise Memo and to quash the criminal proceedings in C.C.No.100 of 2017 pending before the learned Judicial Magistrate, Karaikudi, Sivagangai District.

6. Today the parties, namely, the 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 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.

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.100 of 2017 on the file of the learned Judicial Magistrate, Karaikudi, Sivagangai District, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/



(*) COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH

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- To
1. The Judicial Magistrate, Karaikudi,
Sivagangai District.
 2. Do through the Chief Judicial Magistrate,
Sivagangai
 3. The Inspector of Police,
Karaikudi North Police Station,
Karaikudi,
Sivagangai District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +One cc to M/s.M.Vivekanandan, Advocate, SR.No.75698

pmu
RL/6C/3P/JC/SAR1/20/9/2017

CRL OP (MD) No.11612 of 2017

31.08.2017