



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.11765 of 2017

S.Ganeshamoorthi

... Petitioner/Sole Accused

Vs.

1. The State rep. by,
The Sub Inspector of Police,
Othakadai Police Station,
Madurai District.

... Respondent /Complainant

2.Sikkhandhar

... 2nd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the impugned Charge Sheet in C.C.No.58 of 2016 on the file of the learned Magistrate, Melur, Madurai District and quash the same.

For Petitioners	: Mr.K.Rajeshwaran
For R-1	: Mr.K.Anbarasan, Government Advocate (Crl.Side)
For R-2	: Mr.A.K.Kannappan

O R D E R

This Criminal Original petition is filed for quashing the impugned Charge Sheet in C.C.No.58 of 2016 on the file of the learned Judicial Magistrate, Melur, Madurai 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 petitioner is the sole accused in Crime No.24 of 2016 on the file of the first respondent police. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.24 of 2016, for the offences under Sections 294(b) and 506(ii) I.P.C.



4. After filing of the Charge Sheet, the case was taken on the file in C.C.No.58 of 2016 before the learned Judicial Magistrate, Melur, Madurai District, for the same offences.

5. It appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of Court, on the advise of the elders and well wishers. The parties also have entered into a compromise. The Joint Compromise Memo, dated 14.08.2017, 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 parties have agreed to quash the criminal proceedings in C.C.No.58 of 2016 pending on the file of the learned Judicial Magistrate, Melur, Madurai District.

6. The parties, namely, the petitioner 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 case in C.C.No.58 of 2016 on the file of the learned Judicial Magistrate, Melur, Madurai District, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-
Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To
Encl: Xerox copy of Compromise memo
1. The Judicial Magistrate,
Melur,
Madurai District.

2. The Sub Inspector of Police,
Sankarapalayam Police Station,
Madurai District.



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

+1 cc to Mr.K.Rajeswaran , Advocate in SR.No. 76525

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AE/MR KKR/SAR2/25.09.2017/3P/5C

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