



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) Nos.12014 & 12015 of 2017

1.P.Velmurugan

2.A.Jeyaraja ... Petitioners in Crl.O.P.(MD)No.12014 of 2017/
(Accused Nos. 2&3)

1.S.Poorna Chandran

2.Azhaghuraja

3.S.Vijayakumar ... Petitioners in Crl.O.P.(MD)No.12015 of 2017/
(Accused Nos.1 to 3)

-Vs-

1.State represented by,

The Inspector of Police,

Thallakulam Police Station,

Madurai District. ... 1st Respondent in both petitions/
(Complainant)

2.P.T.Azhaghuraja

...2nd Respondent in Crl.O.P.(MD)No.12014 of 2017/
(De-facto Complainant)3.Velmurugan ... 2nd Respondent in Crl.O.P.(MD)No.12015 of 2017/
(De-facto Complainant)

Common Prayer: Criminal Original Petitions filed under Section 482 of Code of Criminal Procedure, to call for records pertaining to the charge sheet in C.C.No.271 of 2010 & C.C.No.241 of 2010 respectively on the file of the learned Judicial Magistrate-II, Madurai and quash the same.

in Crl.O.P.(MD) No.12014 of 2017

For Petitioners : Mr.M.S.Jeyakarthick

For R1 : Mr.K.Anbarasan,
Government Advocate (Crl. Side)

For R2 :Mr.K.N.Govardhan

in Crl.O.P.(MD) No.12015 of 2017

For Petitioners : Mr.K.N.Govardhan

For R1 :Mr.K.Anbarasan,
Government Advocate (Crl. Side)

For R2 :Mr.M.S.Jeyakarthick

COMMON ORDER

These Criminal Original Petition have been filed to quash the charge sheet in C.C.Nos.241 and 271 of 2010 on the file of the learned Judicial Magistrate-II, Madurai.

2.The petitioners in CrI.O.P.No.12014 of 2017 are the accused Nos. 2 and 3 in Crime No. 472 of 2010 which was registered for offences under Sections 147, 148, 324 and 506(ii) of I.P.C. After filing the charge sheet, the case was taken on file in C.C.No.271 of 2010 on the file of the learned Judicial Magistrate-II, Madurai. The de-facto complainant in Crime No.472 of 2010 is the second accused and second petitioner in CrI.O.P.No.12015 of 2017.

4.The petitioners in CrI.O.P.No.12015 of 2017 are the accused Nos. 1 to 3 in Crime No. 471 of 2010 which was registered for offences under Sections 341, 294(b), 323, 324 and 506(ii) of I.P.C. After filing a charge sheet, the case was taken on file in C.C.No.241 of 2010 on the file of the learned Judicial Magistrate-II, Madurai. The de-facto complainant in Crime No.471 of 2010 is the second accused and first petitioner in CrI.O.P.No.12014 of 2017.

5.It appears that on the advise of the elders and friends, the petitioners and the second respondent in both the cases have agreed to compromise the matter, out of Court. Joint Compromise Memos, dated 08.09.2017, signed by the parties, in the presence of their respective counsel, are also produced before this Court. As per the Joint Compromise Memos, the de-facto complainant, namely, the second respondent, in both cases, have given their consent to quash the entire proceedings in C.C.Nos.271 and 241 of 2010.

6.The parties appeared before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memos on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Government Advocate (Criminal side) through the first respondent police.

7.Having regard to the terms of joint compromise memos filed by the parties, this Court is of the view that no useful purpose will be served by keeping these matters pending. As per the Compromise Memos signed by the parties, the de-facto complainant, namely, the second respondent in both cases have agreed to quash the proceedings in C.C.Nos.241 and 271 of 2010. Hence the criminal proceedings in C.C.Nos.241 and 271 of 2010, on the file of the learned Judicial Magistrate-II, Madurai, are quashed in toto. The Joint Compromise Memos signed by the parties shall form part of the order.



8. Accordingly, these Criminal Original Petitions are allowed.
Sd/-

Assistant Registrar (Crl. Side)

WEB COPY /True Copy/

Sub Assistant Registrar.

Herewith enclosed the copy of Compromise Memos.

To

1. The Judicial Magistrate-II,
Madurai.

2. Do Thro Chief Judicial Magistrate, Madurai.

3. The Inspector of Police,
Thallakulam Police Station,
Madurai City.

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

+1CC to Mr. K. N. Govardhanan, Advocate, SR.No. 78197

Crl.O.P. (MD) Nos. 12014 & 12015 of 2017
11.09.2017

ls/Cmr

AM/MR KKR/SAR 1/26.09.2017/3P/6C