

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 18.09.2017****CORAM****WEB COPY****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****Cr1.O.P. (MD) No.12242 of 2017**

- 1.Nagaraj
- 2.Seenivasagam
- 3.Muniyandi
- 4.Muthusamy
- 5.Balusamy
- 6.Paulraj

...Petitioners/Accused 1 to 6

-Vs-

1. The State Represented by
The Inspector of Police,
Vanniyampatti Police Station,
Virudhunagar District.
(in crime No.66 of 2014)

...1st Respondent/Complainant

- 2.Vaiyali

... 2nd Respondent/De-facto
Complainant

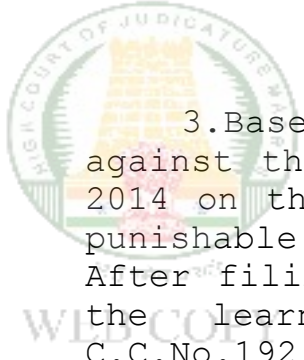
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the Charge Sheet in C.C.No.192 of 2015 on the file of the Judicial Magistrate Court No.2, Srivilliputhur and quash the same.

For Petitioners	:Mr.E.Marees Kumar
For R-1	:Mr.K.Anbarasan, Government Advocate(Crl. side).
For R-2	:Mr.V.Nirmal Kumar

O R D E R

This Criminal Original petition has been filed to quash the records relating to the Charge Sheet in C.C.No.192 of 2015 on the file of the learned Judicial Magistrate No.2, Srivilliputhur.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal side) appearing for the first respondent and the learned counsel appearing for the second respondent.



3. Based on the complaint lodged by the second respondent, against the petitioners, a case was registered in Crime No.66 of 2014 on the file of the first respondent police for the offences punishable under Sections 147, 447, 336, 324, 323 and 427 IPC. After filing the charge sheet, the case was taken on the file by the learned Judicial Magistrate No.2, Srivilliputhur in C.C.No.192 of 2015 against the accused 1 to 6.

4. It appears that at the intervention of the elders and well wishers, the petitioners and the second respondent have agreed to compromise the matter out of Court. The parties have also entered into compromise. A Joint Compromise Memo, signed by the both parties, in the presence of their respective counsels, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed to quash the criminal case in C.C.No.192 of 2015.

5. The parties appeared before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memo 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.

6. Having regard to the compromise arrived at between the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. As per the Compromise Memo signed by the parties, the de-facto complainant, namely, the second respondent has agreed to quash the proceedings against the petitioners. Hence the Charge Sheet in C.C.No.192 of 2015 on the file of the learned Judicial Magistrate No.2, Srivilliputhur, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.2,
Srivilliputhur.

2. The Inspector of Police,
Police Station,
Virudhunagar District.



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

+1cc to Mr.E.Marees Kumar, Advocate Sr.No.79626

CMR

VB/SKN/RSK/SAR2/03.10.2017/3P/5C

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