



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

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Crl.O.P.(MD) No.12406 of 2017

1. Dharmar
2. Ramasamy @ Kothan
3. Ganesan
4. M.P.@Ramakrishnan ... Petitioners/Accused Nos.1 to 4

-Vs-

1. The State represented by,
The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.
(In Crime No.39 of 2015) ... 1st Respondent/Complainant
2. Lakshmanan ... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the charge sheet in P.R.C.No.16 of 2017 before the learned District Musif cum Judicial Magistrate, Vilathikulam and quash the same.

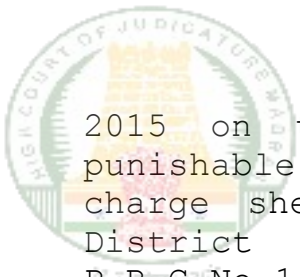
For Petitioners	: Mr.S.Dheenadhayalan
For R-1	: Mr.K.Anbarasan, Government Advocate(Crl. side).
For R-2	: Mr.E.Balasubramanian

O R D E R

This Criminal Original Petition has been filed to quash the records pertaining to the charge sheet in P.R.C.No.16 of 2017 before the learned District Musif cum Judicial Magistrate, Vilathikulam and quash the same.

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

<https://hcservices.courts.gov.in/hcservices/> 3.Based on the complaint lodged by the second respondent, against the petitioners, a case was registered in Crime No.39 of



2015 on the file of the first respondent for the offences punishable under Sections 294(b) and 307 IPC. After filing the charge sheet, the case was taken on the file of the learned District Musif cum Judicial Magistrate, Vilathikulam, in P.R.C.No.16 of 2017. The petitioners are the Accused Nos.1 to 4.

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4.It appears that the on the advice of the close relatives and elders, the parties have entered into compromise and a Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also filed. As per the Joint Compromise Memo, it is stated that they have entered into a compromise and settled their dispute amicably out of Court and the de-facto complainant, namely, the second respondent has agreed to quash the entire proceedings in P.R.C.No.16 of 2017.

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 specific terms of the Joint Compromise Memo, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the charge sheet in P.R.C.No.16 of 2017 on the file of the learned District Musif cum Judicial Magistrate, Vilathikulam, 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 (Crl Side)

/True copy/

Sub Assistant Registrar

Encl.:Xerox Copy of Compromise Memo.

To

1. The District Munsif cum Judicial Magistrate,
Vilathikulam.

2. The District Chief Judicial Magistrate,
Tuticorin District.



3. The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.

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

+ 1 CC TO MR.S.Dheenadhayalan, ADVOCATE IN SR No. 79998

cmr

MK/KP/SAR-1/03.10.2017/3P/6C

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