



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

Cr1.O.P.(MD) No. 12523 of 2017

1. Anand
2. Dheivendran
3. Selvam
4. Muthupandi
5. Karikalan
6. Bose @ Karuppiah ... Petitioners / Accused 1, 3 to 7

-Vs-

1. State represented by
The Deputy Superintendent of Police,
Oomatchikulam Sub-Division.
Madurai District (in Karuppayoorani
Police Station)
Madurai District.
(in Crime No.11 of 2009) ... 1st Respondent / Complainant
2. Valarmathi ... 2nd Respondent / Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.7 of 2016 pending on the file of the learned Judicial Magistrate No.II, Madurai and quash the same.

For Petitioners : Mr.R.Mathialagan
For R-1 : Mr.K.Anbarasan,
Government Advocate(Cr1. side).
For R-2 : Mr.S.Ravi

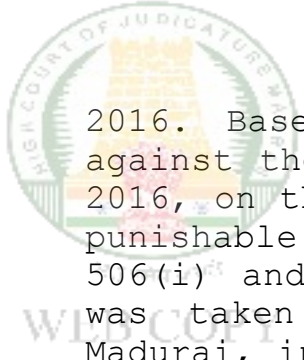
O R D E R

This Criminal Original Petition has been filed to quash the records in C.C.No.7 of 2016 pending on the file of the learned Judicial Magistrate No.II, Madurai.

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.ecourts.gov.in/hcservices/>

3.The petitioners are Accused Nos.1, 3 to 7 in Cr.No.7 of



2016. Based on the complaint lodged by the second respondent, against the petitioners, the case was registered in Crime No.7 of 2016, on the file of the first respondent police, for the offences punishable under Sections 147, 148, 294(b), 295, 355, 427, 509, 506(i) and 506(ii) IPC. After filing the charge sheet, the case was taken on file by the learned Judicial Magistrate No.II, Madurai, in C.C.No.7 of 2016.

4.It appears that the on the advice of 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, the de-facto complainant, namely, the second respondent has agreed to quash the charge sheet in C.C.No.7 of 2016.

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

6.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 the charge sheet in C.C.No.7 of 2016 on the file of the learned Judicial Magistrate No.II, Madurai, 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 (AE)

/True copy/

Sub Assistant Registrar

Encl.: Xerox Copy of Compromise Memo.
To

1. The Judicial Magistrate No.II,
Madurai.

2. The Deputy Superintendent of Police,
Oomatchikulam Sub-Division.

<https://hcservices.maduraindist.net>
Madurai District (in Karuppayoorani
Police Station)
Madurai District.



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

+1 CC TO MR.S.Ravi, ADVOCATE IN SR No. 80282

cmr

MK/KK/SAR-2/09.10.2017/3P/5C

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