



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) Nos.12550 and 12568 of 2017

M.Jeyamperumal ... Petitioner / Sole Accused in
Crl.O.P(MD).No.12550 of 2017

1.L.Reghuraman
2.A.Ignitious
3.N.Sureshkuamr

... Petitioners / accused 1 to 3
Crl.O.P(MD).No.12568 of 2017

-Vs-

1.State through
The Inspector of Police,
South Police Station,
Tuticorin. ...1st Respondent/Complainant
(Crime No.746 of 2012)

2.L. Reghuraman ...2nd Respondent/Defacto Complainant
in Crl.O.P(MD).No.12550/17

1.State through the
Inspector of Police,
D1, Tallakulam Police Station,
Madurai City, Madurai. ...1st Respondent/Complainant
(Crime NO. 1110 of 2012)

2.M.Jeyamperuam ...2nd Respondent/Defacto Complainant
in Crl.O.P(MD).No.12568/17

Prayer in Crl.O.P(MD).No.12550/17.: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records in S.C.No.95 of 2016 on the file of the Subordinate Court, Tuticorin and quash the same.

Prayer in Crl.O.P(MD).No.12568/17.: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records in P.R.C.No.146 of 2013 on the file of the learned Judicial Magistrate No.II, Madurai and quash the same.



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For Petitioner : Mr.K.A.Raamakrishnan
in Crl.O.P(MD).No.12550 of 2017
Mrs.C.R.Ponnuthai
in Crl.O.P(MD).No.12568 of 2017

For R-1 : Mr.C. Ramesh
Additional Public Prosecutor
in both O.Ps.

For R-2 : Mrs. C.R. Ponnuthai
in Crl.O.P(MD).No.12550 of 2017
Mr.K.A. Raamakrishnan
in Crl.O.P(MD).No.12568 of 2017

COMMON ORDER

The Criminal Original petition in Crl.O.P(MD).No.12550 of 2017 is filed to call for the records in S.C.No.95 of 2016 on the file of the Subordinate Court, Tuticorin and quash the same.

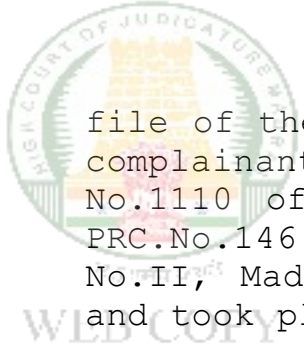
The Criminal Original petition in Crl.O.P(MD).No.12568 of 2017 is filed to call for the records in P.R.C.No.146 of 2013 on the file of the learned Judicial Magistrate No.II, Madurai and quash the same.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent in both the Criminal Original Petitions.

3. The petitioner in Crl.O.P(MD).No.12550 of 2017 is the sole accused in Crime No.746 of 2012. Based on the complaint lodged by the second respondent in Crl.O.P(MD).No.12550 of 2017, the case was registered for the offences under Sections 294(b), 307 and 506 (ii) of IPC. After filing charge sheet, the case was taken on file in S.C.No.95 of 2016 on the file of the Sub Court, Tuticorin.

4. The petitioners in Crl.O.P(MD).No.12568 of 2017 are the accused nos. 1 to 3 in Crime No.1110 of 2012. Based on the complaint lodged by the second respondent in Crl.O.P(MD).No.12568 of 2017, the case was registered for the offences under Sections 147,148,363,341,294(b),307 and 506(ii) of IPC. After filing charge sheet, the case was taken on file in PRC.No.146 of 2013 on the file of the learned Judicial Magistrate No.II, Madurai.

5. The second respondent / de facto complainant in Crime No.746 of 2012 is the sole accused in Crime No.746 of 2012, which is the subject matter of proceedings in S.C.No.95 of 2016 on the



file of the Sub Court, Tuticorin. The second respondent / de facto complainant in Crime No.746 of 2012 is the first accused in Crime No.1110 of 2012, which is the subject matter of proceedings in PRC.No.146 of 2013, on the file of the learned Judicial Magistrate No.II, Madurai. Both the complaints are two different incidents and took place at two different places.

6. It appears that parties viz., petitioners and the de facto complainant in both the cases have settled their dispute amicably out of Court, at the instigation of the elders and well wishers. Both the petitioners and the de facto complainant have entered into a compromise and a joint compromise memos signed by the respective parties in the presence of their respective counsels have been produced before this Court. As per the joint compromise memos, the parties have agreed not to interfere with the personal life of each other and the second respondent viz., de facto complainant in both the cases have no objection for quashing the criminal proceedings in S.C.No.95 of 2016 and PRC.No.146 of 2013, pending on the file of the the Sub Court, Tuticorin and the learned Judicial Magistrate No.II, Madurai respectively.

7. The parties are present before this Court and expressed in unequivocal terms that the Joint Compromise Memos signed by them were on their own 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 Additional Public Prosecutor through the first respondent police.

8. Having regard to the specific terms in the joint compromise memo signed by the parties before this Court, this Court is of the view that no useful purpose will be served by keeping these matters pending. Hence, the Criminal Original petitions are allowed and the proceedings pending in S.C.No.95 of 2016 and PRC.No.146 of 2013, on the file of the the Sub Court, Tuticorin and the learned Judicial Magistrate No.II, Madurai respectively are quashed in *toto*, on the basis of the compromise memos filed by the parties concerned before this Court. The Joint Compromise Memos signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

Encl:Xerox copy of Compromise memo

1.The Subordinate Court, Tuticorin.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The Judicial Magistrate II, Madurai.



3.The Inspector of Police,
South Police Station,
Tuticorin.

4. Inspector of Police,
D1, Tallakulam Police Station,
Madurai City, Madurai.

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

Trp
MAS/JC/SAR2:10.10.2017:4P-6C

Cr1.O.P.(MD) Nos.12550 and 12568 of 2017
22.09.2017