



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.11.2017
CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

CRL OP (MD) No.12577 of 2017

1. Ashok
2. Murugavel
3. Gowtham
4. Ramesh (Sullanramesh) ... Petitioners/Accused Nos.1 to 4

Vs.

1. The State represented by,
The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
(Crime No.206 of 2017) ... Respondent /Complainant

2. Gunasekaran ... Respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the case in C.C.No.138 of 2017 on the file of the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District and to quash the same on the ground of compromise forthwith.

(Prayer Amended as per order of this Court made in Crl.M.P. (MD) No.10587 of 2017, dated 21.11.2017)

For Petitioners	: Mr.S.Palani Velayutham
For R-1	: Mr.K.S.Durai Pandiyan, Additional Public Prosecutor.
For R-2	: M/s.A.Anites Virgin

O R D E R

This Criminal Original petition is filed for quashing the Charge Sheet in C.C.No.138 of 2017 on the file of the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District, on the ground of compromise forthwith.

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.

<https://hcservices.courts.gov.in/hcservices/>
3. The petitioners are the accused Nos.1 to 4 in Crime No.206 of 2017 on the file of the first respondent police. On the basis



of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.206 of 2017, dated 24.08.2017, for the alleged offences under Sections 341, 294(b), 323, 506(i) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

4. After filing of Charge Sheet, the case was taken on file in C.C.No.138 of 2017 on the file of the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District, for the same offences.

5. It appears that the parties, namely, the petitioners and the second respondent have settled their dispute amicably out of Court, at the intervention of elders and friends. It is stated that the parties also have entered into a compromise. The Joint Compromise Memo, dated 01.09.2017, signed by the petitioners and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the memo of compromise, the second respondent has agreed for quashing the complaint and proceedings which is impugned in this petition.

6. The parties, namely, the petitioners and the second respondent appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free 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.

7. 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, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the Charge Sheet in C.C.No.138 of 2017 on the file of the learned Judicial Magistrate No.I, Nagercoil, Kanyakumari District, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

Enclosure : The Joint Compromise Memo (Xerox Copy)

<https://hservices.courts.gov.in/hservices/>
I, the learned Judicial Magistrate No.I,
Nagercoil, Kanyakumari District.



2. The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.

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

+1cc to M/S.S.Palani Velayutham, Advocate SR.No. 90090

CRL.O.P.(MD)No.12577 of 2017
28.11.2017

PMU

JM/SV MMS/SAR 1/15.12.2017/3P/5C