



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:22.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.12660 of 2017

WEB COPY

V.Arunachalam

: Petitioner/Accused No.4

-Vs-

1. The Inspector of Police,
Oomachikulam Police Station,
Madurai District.
(Crime No. 238 of 2016)

2.The Deputy Superintendent of Police,
Oomachikulam Sub Division,
Madurai District.

: Respondents/Complainants

3.Kannan

:3rd respondent/Defacto Complainant

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the impugned order in Crime No.238/2016 on the file of the respondent Police in respect of the petitioner / accused no.4 and quash the same.

For Petitioner : Mr.A. Joseph Jerry

For Respondents 1 & 2 : Mr.C.Ramesh

Additional Public Prosecutor

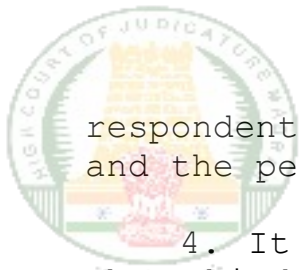
For 3rd respondent : Mr. K. Palanikumar

O R D E R

This Criminal Original petition is filed to call for the records relating to the impugned order in Crime No.238/2016 on the file of the respondent Police in respect of the petitioner concerned and quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Government Additional Public Prosecutor appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

3. On the basis of complaint received from the third respondent, a case was registered in Crime No.238 of 2016 as against the petitioner / A4 and others for the offences under Sections 147,148,294(b),506(ii) of IPC and Section 3(2)(va) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment, Act, 2015, on the file of the first



respondent Police. There are totally seven accused in this case and the petitioner herein is arrayed as A4..

4. It appears that the parties viz., the petitioner / A4 and the third respondent, after registration of the case, have amicably settled their dispute out side the Court and entered into a compromise. The joint compromise memo dated 18.09.2017, signed by the petitioner / A4 and the defacto complainant, in the presence of their respective counsels is produced before this Court. As per the joint Compromise memo, the 3rd respondent / de facto complainant has agreed for quashing the Criminal case insofar as the petitioner herein, who is the 4th accused in Crime No.238 of 2016.

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 Additional Public Prosecutor through the first respondent police.

6. Having regard to the terms of the joint memo of compromise, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the criminal proceedings pending in Crime No.238 of 2016 on the file of the first respondent Police, is quashed in respect of the 4th accused, who is the petitioner herein and the Joint Compromise Memo dated 18.09.2017 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

To

Encl:Xerox copy of Compromise memo

1. The Inspector of Police,
Oomachikulam Police Station, Madurai District.
 2. The Deputy Superintendent of Police,
Oomachikulam Sub Division, Madurai District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1cc to M/S.A.JOSEPH JERRY, Advocate SR.No.80720
trp
MAS/SKN-RSK/SAR2:12.10.2017:2P-5C