



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2017

CORAM

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.13252 of 2017

1.Valan

2.Danish

... Petitioners / Accused Nos.1 and 2

-Vs-

1.State represented by

The Sub Inspector of Police,
South Police Station,
Thoothukudi District.

(In Crime No.998 of 2015) ...1st Respondent/Respondent.

2.K.Kiran

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

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to admit this petition and to quash the proceedings in C.C.No.246 of 2017 on the file of the learned Judicial Magistrate No.1, Thoothukudi.

For Petitioners	:Mr.Antony S.Prabahar
For R-1	:Mr.K.S.Durapandian
	Additional Public Prosecutor
For R-2	:Mr.S.Sivakumar

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.246 of 2017 on the file of the learned Judicial Magistrate No.1, Thoothukudi.

2.Heard the learned Counsel appearing for the petitioners, the learned Additional Public Prosecutor appearing for the first respondent and the learned Counsel appearing for the second respondent.

3.The petitioners are accused Nos.1 and 2 in Crime No.998 of 2015. Based on the complaint lodged by the second respondent, a case was registered in Crime No.998 of 2015, by the first respondent police, for the alleged offences under Sections 294(b), 323B and 506 of IPC. After filing the charge sheet, the case was taken on file by the learned Judicial Magistrate No.1, Thoothukudi in C.C.No.246 of 2017.



4.It appears that the petitioners and the second respondent have settled their dispute amicably and they have also entered into a compromise. A Joint Compromise Memo, dated 25.09.2017, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed for quashing the proceedings in C.C.No.246 of 2017.

5.Today, 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 Additional Public Prosecutor 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 Criminal Proceedings in C.C.No.246 of 2017, pending on the file of the learned Judicial Magistrate No.1, Thoothukudi. 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(Writs)

/True Copy/

Sub Assistant Registrar.

Herewith enclosed the xerox copy of the Joint Compromise Memo

To

1.The Sub Inspector of Police,
South Police Station,
Thoothukudi District.

2.The Judicial Magistrate No.1,
Thoothukudi.

+1CC to Mr.Antony.S.Prabahar, Advocate, SR.No. 83969

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