



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

CRL.O.P(MD)No.13473 of 2017

Ganesan

... Petitioner/Sole Accused

Vs.

1. The State rep. by its,
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.

... 1st Respondent / Complainant

2. Narayanan

... 2nd Respondent/
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records relating to the entire proceedings of S.C.No.101 of 2017 on the file of the learned Principal Sessions Judge, Tirunelveli and to quash the same.

For Petitioner : Mr.M.S.Jeyakarthick

For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

For R-2 : M/s.A.Banumathy

O R D E R

This Criminal Original petition is filed for quashing the Charge Sheet in S.C.No.101 of 2017 on the file of the learned Principal Sessions Judge, Tirunelveli.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.



3. The petitioner is the sole accused in Crime No.384 of 2016 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.384 of 2016, dated 26.03.2016, for the offences under Sections 294(b), 307 and 506(ii) of I.P.C.

4. After filing of the Charge Sheet, the case was taken on file in S.C.No.101 of 2017 before the learned Principal Sessions Judge, Tirunelveli.

5. It appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of Court, on the advise of the elders of their locality. The parties also have entered into a compromise. A Joint Compromise Memo, dated 19.09.2017, signed by the petitioner and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the second respondent/defacto complainant has agreed for quashing the proceedings in S.C.No.101 of 2017 on the file of the learned Principal Sessions Judge, Tirunelveli. It is further stated that the dispute between the petitioner and second respondent has been settled amicably because of the intervention of the elders of their locality.

6. The parties, namely, the petitioner 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 filed in S.C.No.101 of 2017 on the file of the learned Principal Sessions Judge, Tirunelveli District, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-
Assistant Registrar (Records)

/True Copy/



(*) JOINT COMPROMISE MEMO XEROX COPY IS ENCLOSED HERewith

To தமிழ்நாடு உயர் நீதிமன்றம்

WEB COPY

1. The Principal Sessions Judge,
Tirunelveli District.
2. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+One cc to M/s.Jeyakarthick, Advocate, SR.No.82588

Copy to:-

The Section Officer,
Criminal Side Records,
Madurai Bench of Madras High Court,
Madurai

pmu
RL/6C/3P/JC/SAR1/26/10/2017

CRL OP (MD) No.13473 of 2017

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