

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 06.10.2017****CORAM**

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDAR**Cr1.O.P. (MD) No.13533 of 2017**

1.Rajagopal
2.Subramaniyan @ Kumar
3.Alagumuthu @ Kumar ... Petitioners / Accused 1 to 3

-Vs-

1.State rep. by
The Deputy Superintendant of Police,
Cheranmahadevi Sub Division,
Cheranmahadevi.
2.The Inspector of Police,
Veeravanallur Police Station,
Thirunelveli District.
(Crime No.25 of 2015) ... Respondents 1 and 2/Complainants
3.Issakki ... 3rd respondent/De facto Complainant

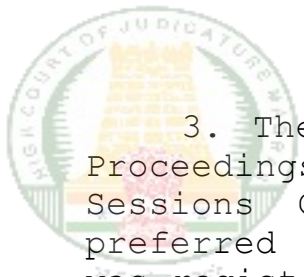
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to quash the final report filed in S.C.No.21 of 2017 on the file of the II Additional Sessions Court, Thirunelveli.

For Petitioners : Mr.R.Ramachandran
For R-1 & R2 : Mr.K.S. Duraipandian
Additional Public Prosecutor
For R-3 : Mr.B. Thangamani

O R D E R

This Criminal Original petition is filed to quash the final report filed in S.C.No.21 of 2017 on the file of the II Additional Sessions Court, Thirunelveli.

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



3. The petitioners are the accused nos. 1 to 3 in Criminal Proceedings in S.C.No.21 of 2017 on the file of the II Additional Sessions Court, Thirunelveli. On the basis of the complaint preferred by the third respondent / de facto complainant, a case was registered by the second respondent police in Crime No.25 of 2015 for the offences under Sections 341,294(b), Section 3 of TNPPDL Act and Section 3(i)(x) of Scheduled Castes and Scheduled Tribes Act against the petitioners. Thereafter, the second respondent police has filed a charge sheet before the II Additional Sessions Court, Thirunelveli and the same was taken on file in S.C.No.21 of 2017.

4. It appears that parties viz., petitioners and the de facto complainant have settled their dispute amicably out of Court, at the instigation of the elders and well wishers and they have also entered into a compromise. A joint compromise memo signed by the parties concerned in the presence of their respective counsels is produced before this Court. As per the joint compromise memo, the de facto complainant has agreed for quashing the proceedings in S.C.No.21 of 2017 on the file of the II Additional Sessions Court, Thirunelveli.

5.The petitioners and the third respondent, who have appeared before this Court today have stated in unequivocal terms that the Joint Compromise Memo was signed by them 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 identity of the parties are also confirmed by the learned Additional Public Prosecutor through the second respondent Police.

6. In the Compromise Memo, the de facto complainant has agreed to withdraw the criminal case and the petitioners and the third respondent have requested this Court to quash the proceedings in S.C.No.21 of 2017 on the file of the II Additional Sessions Court, Thirunelveli.

7. In the said circumstances, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, on the basis of the compromise memo signed by the parties, the Criminal Original petition is allowed and the proceedings pending in S.C.No.21 of 2017 on the file of the II Additional Sessions Court, Thirunelveli is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Encl: Joint Compromise Memo

Sd/-

Assistant Registrar(AE)

Sub Assistant Registrar



To

1.The Deputy Superintendant of Police,
Cheranmahadevi Sub Division,
Cheranmahadevi.

2.The Inspector of Police,
Veeravanallur Police Station,
Thirunelveli District.

3.II Additional Sessions Court, Thirunelveli.

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

+1cc to Mr.R.Ramachandran, Advocate Sr.No.81914

TRP

VB/SKN/RSK/SAR1/25/10/2017/3P/6C

Cr1.O.P. (MD) No.13533 of 2017
06.10.2017