



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.13571 of 2017

- 1.Sathiyendran
- 2.Velmurugan
- 3.Ananth @ Ananthakumar
- 4.Guru Karthick
- 5.Irulandi
- 6.Ariyandi @ Murugeswaran
- 7.Praveenkumar
- 8.Ramar
- 9.Periyasamy

... Petitioners / Accused 1 to 9

-Vs-

- 1.The Deputy Superintendant of Police,
Manamdurai Range,
Sivagangai District.

- 2.The Inspector of Police,
Palayanoor Police Station,
Sivagangai District. ... Respondents 1 and 2/Complainants

- 3.Kaleeswaran ... 3rd respondent / De facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in PRC.No.35 of 2017 in Crime No.2 of 2017 on the file of the learned Judicial Magistrate, Manamadurai and quash the same.

For Petitioners : Mr.R. Boominathan
For R-1 & R2 : Mr.K.S. Duraipandian
Additional Public Prosecutor
For R-3 : Mr.S.Muniyandi

O R D E R

This Criminal Original petition is filed to call for the records in PRC.No.35 of 2017 in Crime No.2 of 2017 on the file of the learned Judicial Magistrate, Manamadurai and quash the same.



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 9 in Criminal Proceedings in PRC.No.35 of 2017 on the file of the learned Judicial Magistrate, Manamadurai. 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.2 of 2017 for the offences under Sections 147,148,341,294(b),352 of IPC and 3(i)(r), 3(i)(s) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 against the petitioners. Thereafter, the second respondent police has filed a charge sheet before the learned Judicial Magistrate, Manamadurai and the same was taken on file in P.R.C.No.35 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 considering the communal harmony and to purchase peace. A joint compromise memo signed by the parties concerned in the presence of their respective counsels is produced before this Court.

5. As per the joint compromise memo, the petitioners and the third respondent, who have appeared before this Court 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 P.R.C.No.35 of 2017 on the file of the learned learned Judicial Magistrate, Manamadurai.

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 P.R.C.No.35 of 2017 on the file of the learned learned Judicial Magistrate, Manamadurai. is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-
Assistant Registrar(RTI)



To

Encl:Xerox copy of Compromise memo

- 1.The Deputy Superintendant of Police,
Manamdurai Range,Sivagangai District.
- 2.The Inspector of Police,
Palayanoor Police Station,
Sivagangai District.
3. The Learned Judicial Magistrate, Manamadurai
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.R.BOOMINATHAN, Advocate SR.No.81783

trp

MAS/SV-MMS/SAR2:10.10.2017:2P-6C

Cr1.O.P.(MD) No.13571 of 2017
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