

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 06.10.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR**CrI.O.P. (MD) No.13611 of 2017**

WEB COPY

K.Mallika

... Petitioner / Sole accused

-Vs-

1. State rep. by
The Inspector of Police,
Fort Crime Branch Police Station,
Trichy City.
(Crime No.170 of 2015)

... 1st Respondent /Complainant

2.S. Vinothkumar

... 2nd respondent / De facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to permit as to compound the offence and quash all the further proceedings in C.C.No.342 of 2016 on the file of the learned Judicial Magistrate No.I, Thiruchirappalli.

For Petitioner	: Mr.A. Chandrakumar
For R-1	: Mr.K.S. Duraipandian Additional Public Prosecutor
For R-2	: Mr.S. Raja Jayachandran

O R D E R

This Criminal Original petition is filed to quash all the further proceedings in C.C.No.342 of 2016 on the file of the learned Judicial Magistrate No.I, Thiruchirappalli.

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 Criminal Proceedings in C.C.No.342 of 2016 on the file of the learned Judicial Magistrate No.I, Thiruchirappalli. On the basis of the complaint preferred by the second respondent / de facto complainant, a case was registered by the first respondent police in Crime No.170 of 2015 for the offences under Sections 465, 467, 488, 471, 420 and 120(b) of IPC against the petitioner. Thereafter, the first respondent police has filed a charge sheet before the the learned Judicial Magistrate No.I, Thiruchirappalli and the same was taken on file in S.C.No.342 of 2016.



4. It appears that parties viz., petitioner and the second respondent / 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.

5. As per the joint compromise memo, the petitioner and the second 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 first respondent Police.

6. In the Compromise Memo, the de facto complainant has agreed to withdraw the criminal case and the petitioner and the second respondent have requested this Court to quash the proceedings in C.C.No.342 of 2016 on the file of the learned Judicial Magistrate No.I, Thiruchirappalli.

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 C.C.No.342 of 2016 on the file of the learned Judicial Magistrate No.I, Thiruchirappalli is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

(Encl. Xerox copy of compromise memo)

1. The Inspector of Police,
Fort Crime Branch Police Station, Trichy City.
2. II Additional Sessions Court, Thirunelveli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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