



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

CRL.OP.(MD) No.13636 of 2017

S.Varadharajan ... Petitioner / Accused No.1

Vs.

1.The State represented by
The Inspector of Police,
City Crime Branch,
Tirunelveli.

(in Crime No.22 of 2011) ... 1st Respondent/ Complainant

2.M.M.Krishnan ... 2nd Respondent / De-facto
complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the case in C.C.No.248 of 2013 on the file of the Judicial Magistrate No.1, Tirunelveli and quash the same on the basis of compromise deed.

For Petitioner : Mr.P.Venkatesan

For 1st respondent : Mr.K.S.Durai Pandian
Additional Public Prosecutor

ORDER

The Criminal Original Petition is filed to quash the charge sheet in C.C.No.248 of 2013 on the file of the Judicial Magistrate No.1, Tirunelveli, on the basis of compromise deed.

2.Based on the complaint, lodged by the second respondent, a case was registered as against the petitioner and two others for the alleged offences under Sections 420 and 506(i) IPC. The petitioner is the first accused in the criminal proceedings. The two other accused have filed earlier criminal original petition in Crl.O.P(MD)No.18203 of 2013.

3.It appears that the matter was referred to Mediation and the de-facto complainant and the accused in the criminal proceedings



have entered into compromise and there was a settlement agreement, dated 19.09.2017. As per the terms of the settlement, a mediation report was also drawn stating that the entire dispute between the petitioner and two other accused with the de-facto complainant have been settled amicably.

4.As per the settlement, some amount was paid by the petitioner and two other accused, to the de-facto complainant. The payment of amount was also acknowledged in the Mediation agreement, signed by both parties. Based on the mediation agreement, the said criminal original petition in CrI.O.P.(MD) No.18203 of 2013, filed by the other two accused was also allowed.

5.Hence, based on the mediation agreement, which forms part of the order in CrI.O.P.(MD)No.18203 of 2013, the criminal original petition is allowed and the charge sheet in C.C.No.248 of 2013 on the file of the Judicial Magistrate No.1, Tirunelveli is quashed as against the petitioner.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.1,
Tirunelveli.
- 2.-Do- thro'The Chief Judicial Magistrate,
Tirunelveli.
3. The Inspector of Police,
City Crime Branch, Tirunelveli.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Cmr
AE/MR KKR/SAR1/06.11.2017/2P/5C

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