

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

DATED : 09.10.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**CRL OP(MD)No.13663 of 2017**

Ramasamy ... Petitioner/Accused (Single)

Vs.

1. The State rep. by,
The Inspector of Police,
Vilathikulam Police Station,
Thoothukudi District.
(Crime No.89 of 2016)

... Respondent/Respondent

2. Raja ... Respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to S.C.No.154 of 2017 pending on the file of the learned Subordinate Judge, Kovilpatti, Thoothukudi District and to quash the same.

For Petitioner	: Mr.R.Anand
For R-1	: Mr.K.S.Durai Pandiyan, Additional Public Prosecutor.
For R-2	: Mr.P.Gunasekaran

O R D E R

This Criminal Original petition is filed for quashing the criminal proceedings in S.C.No.154 of 2017 pending on the file of the learned Subordinate Judge, Kovilpatti, Thoothukudi District.

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 the criminal case in S.C.No.154 of 2017 which is pending before the learned Subordinate Judge, Kovilpatti, Thoothukudi District. The petitioner is charged for the offences under Section 294(b) and 307 of I.P.C.

4. 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 and well wishers. The parties also have entered into a compromise. A Joint Compromise Memo, dated 04.10.2017, 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 stated that he has signed in the Compromise Memo without being influenced or coerced by any one and that he has also agreed for quashing the criminal proceedings in S.C.No.154 of 2017 on the file of the learned Subordinate Judge, Kovilpatti, Thoothukudi District.

5. 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 Government Advocate(Criminal side) through the first respondent police.

6. 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 criminal proceedings in S.C.No.154 of 2017 on the file of the learned Subordinate Judge, Kovilpatti, Thoothukudi District, 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 Subordinate Judge, Kovilpatti,
Thoothukudi District.
 2. The Inspector of Police,
Vilathikulam Police Station,
Thoothukudi District.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1cc to M/S. R.ANAND, Advocate, SR.No.82042.

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09.10.2017