



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

CORAM

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

Crl.O.P.(MD) No.13822 of 2017

- 1.Vilvamurugan
- 2.Sankar
- 3.Balamurugan

... Petitioners / Accused 1 to 3

-Vs-

1. State rep. by
The Inspector of Police,
Mudhukulathur Police Station,
Ramnad District.

2. Parameswaran

... Respondents / Complainants

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to C.C.No. 124 of 2013 on the file of the learned Judicial Magistrate, Mudhukulathur and quash the same.

For Petitioners	:	Mr.D. Venkatesh
For R-1	:	Mr.K.S. Duraipandian
		Additional Public Prosecutor
For R-2	:	Mr.T. Leninkumar

ORDER

This Criminal Original petition is filed to call for the records pertaining to C.C.No. 124 of 2013 on the file of the Judicial Magistrate, Mudhukulathur and quash the same.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3. The petitioners are the accused nos. 1 to 3 in Criminal Proceedings in C.C.No. 124 of 2013 on the file of the Judicial Magistrate, Mudhukulathur. 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.316 of 2012 for the offences under Sections 294(b) and 324 of IPC against the petitioners. Thereafter, the first respondent police has filed a charge sheet before the learned Judicial Magistrate,

Mudhukulathur and the same was taken on file in C.C.No. 124 of 2013.

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 Compromise Memo, the de facto complainant has agreed to withdraw the criminal case and the petitioners and the second respondent have requested this Court to quash the proceedings in C.C.No. 124 of 2013 on the file of the Judicial Magistrate, Mudhukulathur.

5. The petitioners 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 second respondent Police.

6. 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. 124 of 2013 on the file of the learned Judicial Magistrate, Mudhukulathur is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

Encl: Xerox copy of Compromise memo

1.The Inspector of Police,
Mudhukulathur Police Station,
Ramnad District.

2.The learned Judicial Magistrate, Mudhukulathur

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

Trp

AE/KP/SAR1/03.11.2017/2P/4C