



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.10.2017
CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

WEB COPY

Crl.O.P.(MD) No.13927 of 2017
and
Crl.M.P.(MD) No.9346 of 2017

1.Suresh ... 1st Petitioner/Accused No.1
2.Radhakrishnan ... 2nd petitioner /Accused No.3

-Vs-

1. The Sub Inspector of Police,
Thiruppathur Town Police Station,
Thiruppathur,
Sivagangai District.
(In Crime No.358 of 2015) ... 1st Respondent/Complainant
2. Veerapandi ... 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 STC No.702 of 2015 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur and quash the same insofar as the petitioners concerned.

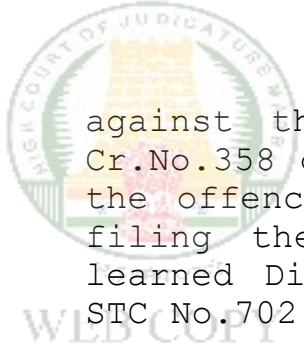
For Petitioners : Mr.S.Kanagarajan
For R-1 : Mr.K.S.Durapandian
Additional Public Prosecutor
For R-2 : Mr.C.Bethana Samy

O R D E R

This Criminal Original Petition has been filed to quash the proceedings in STC No.702 of 2015 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur, insofar as the petitioners concerned.

2.Heard the learned Counsel appearing for the petitioners, the learned Government Advocate(Criminal side) appearing for the first respondent and the learned Counsel appearing for the second respondent.

<https://hcservices.courts.gov.in/hcservices/>
3. The petitioners are accused No.1 and 3 in STC No.702 of 2015. Based on the complaint received from the second respondent,



against the petitioners and others, a case was registered in Cr.No.358 of 2015, on the file of the first respondent police, for the offences punishable under Sections 294(b) and 323 IPC. After filing the charge sheet, the case was taken on file by the learned District Munsif cum Judicial Magistrate, Thiruppathur in STC No.702 of 2015.

4.It appears that the petitioners and the de-facto complainant have settled their dispute amicably out of Court, on the advise of relatives and well wishers and they have also entered into a compromise. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed for quashing the charge sheet in STC No.702 of 2015, on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur, insofar as the petitioners concerned.

5.The parties 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 Additional Public Prosecutor 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 the Charge Sheet in STC No.702 of 2015, on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur is quashed, insofar as the petitioners are concerned. The Joint Compromise Memo signed by the parties shall form part of the order.

7.Accordingly, the Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

Encl.: Xerox Copy of Compromise Memo
To

1. The Sub Inspector of Police,
Thiruppathur Town Police Station,
Thiruppathur,
Sivagangai District.



2. The District Munsif cum Judicial Magistrate,
Thiruppathur.

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

+ 1 CC TO MR.S.Kanagarajan, ADVOCATE IN SR No. 83965
cmr
MK/MR KKR/SAR-3/07.11.2017/3P/5C

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