



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**Crl.O.P.(MD) No.14266 of 2017

- 1.Sivakumar @ Rithesh
- 2.Nagaraj @ Nagarajan
- 3.Dhinakaran
- 4.Bose
- 5.Raman @ Ramar
- 6.Nalla Sethupathy
- 7.Shanmugam
- 8.Kaja @ Kajendran
- 9.Palkutty @ Balasubramanian
- 10.Abbas @ Appadurai
- 11.Alagiri
- 12.Rajkumar @ Kaima
- 13.Murugavel

... Petitioners / Accused No.1 to 13

-Vs-

1. The State represented by
The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
(in Crime No.880 of 2012) ...1st Respondent/ Complainant

2. Thilagar ...2nd Respondent/De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records relating to the charge sheet in S.C.No.55 of 2015 on the file of the learned Additional District and Sessions Court, Virudhunagar and to quash the same.

For Petitioner	: Mr.M.S.Jeyakarthik
For R1	: Mr.K.S.Duraipandian Additional Public Prosecutor
For R2	: Mr.N.Ramesh Arumugam

ORDER



on the file of the Additional District and Sessions Court, Virudhunagar and to quash the same.

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

3. The petitioners are accused No.1 to 13 in S.C.No.55 of 2015. Based on the complaint lodged by the second respondent, as against the petitioners, a case was registered in Crime No.880 of 2012 for the alleged offences under Sections 147, 148, 294(b), 323, 324 and 307 IPC and Section 3 of TNPPDL Act. After filing the charge sheet, the case was taken on file by the Additional District and Sessions Court, Virudhunagar, in S.C.No.55 of 2015.

4. It appears that the parties have settled their dispute amicably, at the intervention of elders and well wishers and they have also entered into a compromise. A Joint Compromise Memo, dated 19.04.2017, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the parties have stated that they have agreed to compromise the issue and not to pursue the criminal complaint further and the de-facto complainant, namely, the second respondent has expressed his willingness for quashing the criminal proceedings in S.C.No.55 of 2015.

5. Today, 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. In view of 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 criminal proceedings in S.C.No.55 of 2015, on the file of the Additional District and Sessions Court, Virudhunagar, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

8. Accordingly, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(crl side)

/True Copy/



Encl: Xerox Copy of Joint Compromise Memo

To

1. The Additional District and Sessions Court,
Virudhunagar.
2. The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.S.Jeyakarthik, Advocate Sr.No.85786

CMR

VB/MR/KKR/SAR4/17/11/2014/3P/5C

Cr1.O.P.(MD) No.14266 of 2017
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