



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2017

CORAM

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.14386 of 2017

Dhanushkodi

... Petitioner / Sole Accused

-Vs-

1.State represented by

The Inspector of Police,
Panavadalichathiram Police Station,
Tirunelveli District.

(In Crime No.117 of 2014) ...1st Respondent/Complainant

2.Shanmugasundharam

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.90 of 2015 on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District and quash the same.

For Petitioner	:Mr.S.Ragaventhre
For R-1	:Mr.K.S.Durapandian
	Additional Public Prosecutor
For R-2	:Mr.S.Senthilsankaranathakumar

O R D E R

This Criminal Original Petition has been filed to call for the records in C.C.No.90 of 2015 on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District and quash the same.

2.Heard the learned Counsel appearing for the petitioner, 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 C.C.No.90 of 2015. The second respondent lodged a complaint before the first respondent and the same was registered in Cr.No.117 of 2014, against the petitioner, for the offences punishable under Sections 279 and 338 of the Indian Penal Code. On 30.10.2017, after perusing the charge sheet, the case was taken on file by the learned Judicial Magistrate, Sankarankovil, Tirunelveli District in C.C.No.90 of 2015.



4.It appears that the petitioner and the second respondent 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 23.10.2017, signed by both parties, in the presence of their respective counsel, is produced before this Court. As per the terms of the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed for quashing the entire proceedings in C.C.No.90 of 2015.

5.The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own will and free 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 C.C.No.90 of 2015 on the file of the learned Judicial Magistrate, Sankarankovil, Tirunelveli District is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

7.Accordingly, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar.

Encl: Xerox copy of Joint Compromise Memo

To

1.The Judicial Magistrate, Sankarankovil, Tirunelveli District.

2 Do Thro' The Chief Judicial Magistrate, Tirunelveli District.

3.The Inspector of Police, Panavadalichathiram Police Station, Tirunelveli District.

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

+1CC to Mr.K.Prabhu, Advocate, SR.No. 84151

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30.10.2017