



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2017

CORAM

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Crl.O.P.(MD) No.14751 of 2017

1.Pandiarajan
2.Murugan
3.Sakthivel

... Petitioners / Accused No.1 to 3

-Vs-

1. The State represented by
The Inspector of Police,
B6 Jaihindpuram (Law and Order) Police Station,
Madurai City.
(in Crime No.136 of 2016) ...1st Respondent/ Complainant

2.V.Pandi ...2nd Respondent / De-facto
complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in S.C.No.440 of 2017 pending on the file of learned Chief Judicial Magistrate, Madurai and quash the same.

For Petitioners : Mr.S.Veeranasamy

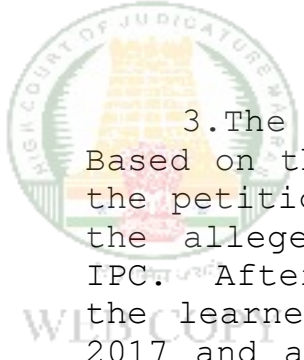
For R1 : Mr.K.S.Duraipandian
Additional Public Prosecutor

For R2 : Mr.A.Saravanan

ORDER

This Criminal Original Petition has been filed to call for the records in S.C.No.440 of 2017 pending on the file of learned Chief Judicial Magistrate, Madurai and 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 3 in S.C.No.440 of 2017. Based on the complaint lodged by the second respondent, as against the petitioners, a case was registered in Crime.No.136 of 2016 for the alleged offences punishable under Sections 307 and 506(ii) IPC. After filing the Charge Sheet, the case was taken on file by the learned Judicial Magistrate No.IV, Madurai, in S.C.No.440 of 2017 and after the committal order passed by the learned Judicial Magistrate No.IV, Madurai, the case was now pending before the learned Chief Judicial Magistrate, Madurai in S.C.No.440 of 2017.

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, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has expressed his willingness for quashing the criminal proceedings in S.C.No.440 of 2017.

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.440 of 2017, on the file of the learned Chief Judicial Magistrate, Madurai, 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(AS)

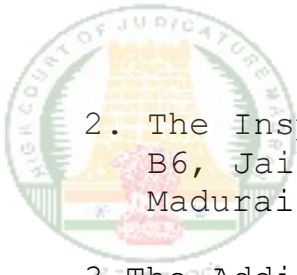
/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Compromise memo

To

<https://hcservices.hc.madurai.judic.gov.in/>
Chief Judicial Magistrate,
Madurai.



2. The Inspector of Police,
B6, Jaihindpuram (Law and Order) Police Station,
Madurai City.

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

+ 1 cc TO Mr.A.Saravanan , Advocate in SR No. 85732
+ 1 cc TO Mr.S.Veeranasamy , Advocate in SR No. 85733

cmr

AE/JC/SAR2/22.11.2017/3P/6C

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