



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2017

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

Crl.O.P.(MD) No. 14915 of 2017

1.Pavanivelmurugan

2.Kandiah

...Petitioners

-Vs-

1. State represented by,
The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.
(Crime No.252 of 2015)

2.Josephjebastian

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records relating to P.R.C.No.47 of 2016 on the file of the learned Judicial Magistrate No.1 Tirunelveli and quash the same as against the petitioners.

For Petitioners : Mr.S.S.Velrajan

For R1 : Mr.K.S.Durai Pandi
Additional Public Prosecutor

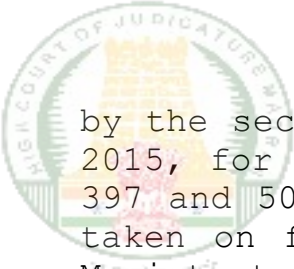
For R2 : Mr.B.N.Raja Mohamed

ORDER

The Criminal Original Petition has been filed to call for records relating to P.R.C.No.47 of 2016 on the file of the learned Judicial Magistrate No.1, Tirunelveli 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.

<https://hcservices.courts.gov.in/hcservices/>
3.The petitioners are accused No.1 and 2 in the criminal proceedings in P.R.C.No.47 of 2016. Based on the complaint lodged



by the second respondent, a case was registered in Crime No.252 of 2015, for the offences punishable under Sections 341, 294(b), 307, 397 and 506(ii) IPC. After filing the charge sheet, the case was taken on file in P.R.C.No.47 of 2016 before the learned Judicial Magistrate No.1, Tirunelveli District.

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4.It appears that the petitioners and the second respondent have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and the well wishers. A Joint Compromise Memo, dated 01.10.2017, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent, has no objection for quashing the entire proceedings in P.R.C.No.47 of 2016.

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 purpose will be served by keeping this matter pending. Hence the criminal proceedings in P.R.C.No.47 of 2016, on the file of the learned Judicial Magistrate No.1, 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(CS-I)

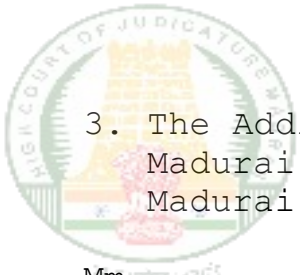
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Sub Assistant Registrar

To

1. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli District.

2. The Judicial Magistrate No.1,



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

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AE/JC/SAR2/14.11.2017/3P/4C

CrI.O.P.(MD) No. 14915 of 2017
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