



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2017

CORAM

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

Cr1.O.P.(MD) No. 15429 of 2017

1.Jeyakodi

2.Thangapushpam

...Petitioners

-Vs-

1.State Represented by
The Inspector of Police,
Pudukkottai Police Station,
Tuticorin District.
(Crime No.201 of 2012)

2.Ponraj

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records of the charge sheet in S.T.C.No.70 of 2017 on the file of the Judicial Magistrate No.III, Tuticorin District and quash the same.

For Petitioners	:Mr.P.Banuprasath
For R1	:Mr.A.Ramar
	Additional Public Prosecutor
For R2	:Mr.K.Seemaraj

ORDER

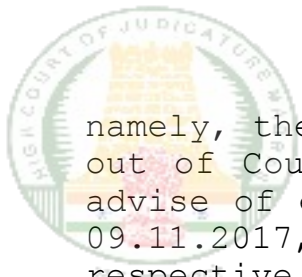
The Criminal Original Petition has been filed to call for the records of the charge sheet in S.T.C.No.70 of 2017 on the file of the Judicial Magistrate No.III, Tuticorin District and to quash the same.

2.Heard the learned counsel appearing for the petitioners, 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 and 2 in Crime No.201 of 2012. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294(b) and 506(i) IPC. After filing the charge sheet, the case was taken on file in S.T.C.No.70 of 2017 before the learned Judicial Magistrate No.III, Tuticorin District.

<https://hcservices.ecourts.gov.in/hcservices/>

4.It appears that the petitioners and the second respondent,



namely, the de-facto complainant have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and their relatives. A Joint Compromise Memo dated 09.11.2017, 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 charge sheet in S.T.C.No.70 of 2017 on the file of the learned Judicial Magistrate No.III, Tuticorin District.

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 charge sheet in S.T.C.No.70 of 2017 on the file of the learned Judicial Magistrate No.III, Tuticorin 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(RTI)

/True Copy/

Sub Assistant Registrar

To

Encl:Xerox copy of Compromise Memo

1.The Inspector of Police,
Pudukkottai Police Station,
Tuticorin District.

2.The Judicial Magistrate Court No.III,
Tuticorin District.

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

+1cc to M/s. P.BANU PRASATH Advocate in SR. No. 86668

MM

JS/SV.MMS/SAR.3/16.11.2017/2P-5C

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