



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2017

CORAM

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

CRL.O.P.(MD) No.15487 of 2017

1.Dharick Ansari

2.Thiruppathi

... Petitioners/ Accused Nos.2 and 4

-Vs-

1.The State represented by

The Inspector of Police,

Devakottai Town Police Station,

Sivagangai District.

...1st Respondent / Complainant

2.Pirthoush

...2nd Respondent / De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records connected in Charge Sheet in C.C.No.169 of 2017 on the file of the learned Judicial Magistrate, Devakottai and quash the same.

For Petitioners

: Mr.S.M.Sanjay

For R1

: Mr.K.S.Duraipandian

Additional Public Prosecutor

For R2

: Mr.D.Palanikumar

O R D E R

This Criminal Original Petition has been filed to call for the records connected in Charge Sheet in C.C.No.169 of 2017 on the file of the learned Judicial Magistrate, Devakottai 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 Nos.2 and 4 in the criminal proceedings in C.C.No.169 of 2017 on the file of the learned Judicial Magistrate, Devakottai. Based on the complaint lodged by



the second respondent, a case was registered in Crime No.519 of 2013, as against the petitioners and others, for the offences punishable under Sections 147, 342, 323, 294(b) and 506(ii) IPC. After filing the charge sheet, the case was taken on file by the learned Judicial Magistrate, Devakottai, in C.C.No.169 of 2017.

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4.It appears that the parties, namely, the petitioners and the second respondent have settled their dispute amicably out of Court, at the intervention of elders and relatives and a compromise was also reached. A Joint Compromise Memo, dated 08.11.2017, signed by both the parties, in the presence of their respective Counsels, is also produced before this Court. As per the Joint Compromise Memo, the second respondent has no objection for quashing the criminal proceedings in C.C.No.169 of 2017 on the file of the learned Judicial Magistrate, Devakottai.

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 C.C.No.169 of 2017 pending on the file of the learned Judicial Magistrate, Devakottai, is quashed insofar as the petitioners are concerned. 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(Crl side)

/True Copy/

Sub Assistant Registrar

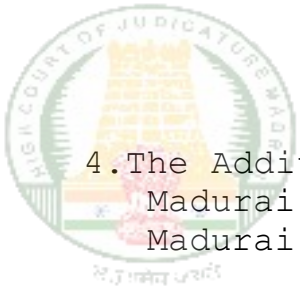
To

Encl: Xerox copy of Compromise memo

1.The Judicial Magistrate, Devakottai.

2. Do Thro' Chief Judicial Magistrate, Sivagangai.

<https://hccourtsonline.org/> of Police,
Devakottai Town Police Station,
Sivagangai District.



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

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+ 1 cc TO Mr.S.M.Sanjay , Advocate in SR No. 90992

cmr

AE/SKN RSK/SAR1/15.12.2017/3P/6C

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