



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2017

CORAM

WEB COPY

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

Crl.O.P.(MD) No. 15681 of 2017

1.Shajakan
2.Sikkandar
3.Nainamohamed

... Petitioners

-Vs-

1. State Represented by
Sub Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
(Crime No.2 of 2016)

2. Abdul Azeez

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records of the case in C.C.No.61 of 2017 pending on the file of Judicial Magistrate, Thiruvadanai, Ramanathapuram District and quash the same.

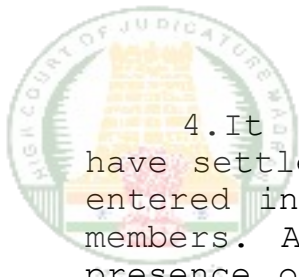
For Petitioners	: Mr.S.Muthukumar
For R1	: Mr.K.S.Durai Pandian Additional Public Prosecutor
For R2	: Mr.K.Periyasamy

ORDER

The Criminal Original Petition has been filed to call for the records of the case in C.C.No.61 of 2017 pending on the file of Judicial Magistrate, Thiruvadanai, Ramanathapuram District and to 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 C.C.No.61 of 2017. Based on the complaint lodged by the de-facto complainant namely the second respondent, a case was registered in Crime No.2 of 2016, by the respondent police for the alleged offences under Sections 447, 294(b) and 506(ii). After filing the charge sheet, the case was taken on file in C.C.No.61 of 2017 before the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District.



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 family members. 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 agreed to compromise the mater and to quash the entire proceedings in C.C.No.61 of 2017.

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 C.C.No.61 of 2017 on the file of the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram 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-II)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Thiruvadanai, Ramanathapuram District.
2. The Chief Judicial Magistrate,
Ramanathapuram.
3. The Sub Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.S.MUTHUKUMAR, ADVOCATE IN SR No. 88783

MM

TE/JC/SAR-2 : 29/11/2017 : 2P/6C

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

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