



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2017

CORAM

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

Crl.O.P.(MD) No. 15883 of 2017

1.Siva @ Sivakumar

2.Karunanithi

3.Vignesh

4.Einstein Britto @ James Godwin

5.Senthil @ Senthil Murugan

6.Muruganantham

7.Thangarasu

...Petitioners

-Vs-

1. The State Represented by
Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.

2. The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.
(Crime No.12 of 2016)

3. Narendra Prasath @ Prasath

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records in relating to the charge sheet in Spl.C.C.No.19 of 2017 on the file of the learned Sessions Judge, Spl.Court Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai and to quash the same.

For Petitioners	:Mr.S.Jeyakarthik
For R1 & R2	:Mr.K.S.Durai Pandian Additional Public Prosecutor
For R3	:Mr.A.Karthick Kumar

**ORDER**

The Criminal Original Petition has been filed to call for the entire records in relating to the charge sheet in Spl.C.C.No.19 of 2017 on the file of the learned Sessions Judge, Spl.Court Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai and to quash the same.

2.Heard the learned counsel appearing for the petitioners, learned Additional Public Prosecutor appearing for the first and second respondent and the learned counsel appearing for the third respondent.

3.The petitioners are accused No. 1 to 7 in Cr.No.12 of 2016. Based on the complaint lodged by the third respondent, a case was registered, by the respondent police for the offences punishable under Sections 147 294(b) 323 355 IPC r/w 3 (1) (r) (s) SC/ST (POA) Act, 2015. After filing the charge sheet, the case was taken on file in Spl.C.C.No.19 of 2017 before the learned Sessions Judge, Spl.Court Trial of cases under SC/ST (POA) Act, 1989, Sivagangai..

4.It appears that the petitioners and the third 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 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 third respondent, has no objection for quashing the charge sheet in Spl.C.C.No.19 of 2017 on the file of the learned Sessions Judge, Spl.Court Trial of cases under SC/ST (POA) Act, 1989, Sivagangai..

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 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 Spl.C.C.No.19 of 2017, on the file of the learned Sessions Judge, Spl.Court Trial of cases under SC/ST (POA) Act, 1989, Sivagangai, is quashed in toto. The Joint Compromise Memo signed by the



7. Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar(RTI)

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/True Copy/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
2. The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.

+1cc to Mr.S.Jeyakarthik, Advocate Sr.No.88465

MM

VB/KK/SAR2/30/11/2017/3P/4C

Cr1.O.P.(MD) No. 15883 of 2017
20.11.2017