



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2017

CORAM :

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

CRL.O.P.(MD)No.15935 of 2017 and

CRL.M.P.(MD)No.10571 of 2017

Balaji

... Petitioner/Accused No.3

Vs.

1. The Inspector of Police,  
Thiruppuvanam Police Station,  
Sivagangai District.

... Respondent /Complainant

2. Ganesan

... Respondent/  
De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the impugned Charge Sheet in C.C.No.351 of 2016 on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, pending disposal of the above Criminal Original petition and thus render justice and to quash to same as illegal as against the petitioner alone.

*(Amended as per the order of this Court, in Cr1.M.P.(MD) No.11318 of 2017, dated 14.12.2017)*

For Petitioner

: Mr.S.Mohan Kumar

For R-1

: Mr.K.S.Durai Pandiyan,  
Additional Public Prosecutor.

For R-2

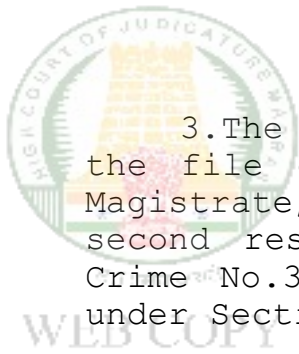
: Mr.S.Vijayakumar

\*\*\*

### O R D E R

This Criminal Original petition is filed for quashing the impugned Charge Sheet in C.C.No.351 of 2016 on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, as illegal as against the petitioner alone.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.



3. The petitioner is the third accused in C.C.No.351 of 2016 on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.337 of 2016, dated 02.07.2016, for the alleged offences under Sections 323 and 506(ii) of I.P.C.

4. After filing Charge Sheet, the case was taken on file in C.C.No.351 of 2016 on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai.

5. It appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of Court, at the intervention of friends and relatives. It is stated that the parties also have entered into a compromise. A Joint Compromise Memo, dated 11.12.2017, signed by the petitioner and the de-facto complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the defacto complainant has no objection for quashing the Charge Sheet in C.C.No.351 of 2016 on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, as against the petitioner alone.

6. The parties, namely, the petitioner and the second respondent 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.

7. Having regard to 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, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the Charge Sheet in C.C.No.351 of 2016 on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, is quashed in so far as the petitioner is concerned. The Joint Compromise Memo signed by the parties shall form part of the order. Consequently, connected Miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar



**(\*) JOINT COMPROMISE MEMO XEROX COPY IS ENCLOSED HERewith**

To

WEB COPY

1. The District Munsif cum Judicial Magistrate,  
Manamadurai
2. The Inspector of Police,  
Thiruppuvanam Police Station,  
Sivagangai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

Pmu

RL/4C/3P/SV/MMS/SAR1/14/2/2018

CRL.O.P.(MD)No.15935 of 2017 and  
CRL.M.P.(MD)No.10571 of 2017

14.12.2017