



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Cr1.O.P.(MD) No.16055 of 2017

- 1.E.D.Charles
- 2.C.Sam Jebaraj Stephenson
- 3.J.Selladurai
- 4.S.Gnanaprakasam
- 5.I.E.P.Gnanaraj
- 6.A.Jegaraj Solomon
- 7.D.Yobu Martin
- 8.D.Sangeethadoss
- 9.S.Vinolin Satraj
- 10.J.Gunanithi
- 11.J.Rajesh
- 12.S.Thendral Ilampooranam
- 13.S.David Paramanantham
- 14.K.J.Ibrampual

... Petitioners/Accused Nos.1 to 14

-Vs-

1. The State represented by
The Inspector of Police,
Palakarai Police Station,
Tiruchirappalli.

... 1st Respondent / Complainant

2. S.Victor

... 2nd Respondent / De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records of the Charge Sheet in C.C.No.27 of 2016 on the file of the learned Judicial Magistrate No.V, Trichirappalli and quash the same.

For Petitioners	: Mr.P.Arun Jayatram
For R1	: Mr.K.S.Duraipandian
	Additional Public Prosecutor
For R2	: Mr.S.Sankar

ORDER

This Criminal Original Petition has been filed to quash the Charge Sheet in C.C.No.27 of 2016 on the file of the learned Judicial Magistrate No.V, Trichirappalli.

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

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 the Accused Nos.1 to 14 in the criminal proceedings in C.C.No.27 of 2016 on the file of the learned Judicial Magistrate No.V, Trichirappalli. On the basis of the complaint lodged by the second respondent, a case was registered in Crime No.789 of 2014 as against the petitioners, for the offences punishable under Sections 147, 148, 294(b), 323 and 506(ii) IPC. After filing the charge sheet, the case was taken on file by the learned Judicial Magistrate No.V, Trichirappalli, in C.C.No.27 of 2016.

4. 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 20.10.2017, signed by both the parties, in the presence of their respective Counsels, is also produced before this Court. As per the terms of the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has specifically agreed for quashing the criminal proceedings in C.C.No.27 of 2016 pending on the file of the learned Judicial Magistrate No.V, Trichirappalli.

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.27 of 2016 pending on the file of the learned Judicial Magistrate No.V, Trichirappalli, 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 No.V,
Trichirappalli.
2. The Chief Judicial Magistrate,
Trichy.
3. The Inspector of Police,
Palakarai Police Station,
Tiruchirappalli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.P.ARUN JEYATRAM, ADVOCATE IN SR No. 88967

CMR

TE/MR-KKR/SAR-1 : 08/12/2017 : 3P/6C

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