



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL O.P.(MD)No.16127 of 2017

Muthuramalingam

... Petitioner/Accused

Vs.

1.The State represented by,
The Inspector of Police,
Mudhukulathur Police Station,
Ramanathapuram District.
(Crime No.112 of 2017)

... Respondent /Complainant

2.Thirumurugan

... Respondent/De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to C.C.No.276 of 2017 on the file of the learned Judicial Magistrate, Mudhukulathur and quash the same.

For Petitioner	: Mr.R.Venkateswaran
For R-1	: Mr.K.S.Durai Pandiyan, Additional Public Prosecutor.
For R-2	: M/s.S.Sabbani Karpurajothi

O R D E R

This Criminal Original petition is filed for quashing the Charge Sheet in C.C.No.276 of 2017 on the file of the learned Judicial Magistrate, Mudhukulathur.

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 sole accused in Crime No.112 of 2017 on the file of the first respondent police. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.112 of 2017, dated 05.05.2017, for the alleged offences under Sections 341, 294(b) and 323 of I.P.C.

4. After filing of Charge Sheet, the case was taken on file in C.C.No.276 of 2017 by the learned Judicial Magistrate, Mudhukulathur, for the same offences.



5. It appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of Court, on the advise of the elders and friends. The parties also have entered into a compromise. The Joint Compromise Memo, dated 22.11.2017, 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 agreed for quashing the criminal proceedings in C.C.No.276 of 2017 on the file of the learned Judicial Magistrate, Mudhukulathur.

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.276 of 2017 on the file of the learned Judicial Magistrate, Mudhukulathur, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar.

Herewith enclosed the xerox copy of the Joint Compromise Memo

To

1. The Judicial Magistrate,
Mudhukulathur.

2.The Inspector of Police,
Mudhukulathur Police Station,
Ramanathapuram District.

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

+1CC to Mr.R.Venkateswaran, Advocate, SR.No. 89240

CRL OP (MD) No.16127 of 2017

24.11.2017