



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2017

CORAM

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

Cr1.O.P.(MD) No. 16423 of 2017

Pugalendhiran

... Petitioner

-Vs-

1.The Deputy Superintendent of Police,
Melur Sub Division,
Melur,
Madurai District.

2.The Inspector of Police,
Melur Police Station,
Melur,
Madurai District.
(Crime No.895 of 2016)

3.Solaiyammal

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to quash the C.C.No.70 of 2017 under Sections 294(b) and 506(i) IPC and Section 4 of TNPWH Act r/w Section 3(2) (v-a) SC/ST POA Act, 2015 dated 16.03.2017 filed in FIR in Cr.No.895 of 2016 on 25.09.2016 pending before III Additional District Court-cum-Sessions Court(PCR Cases), Madurai, on the basis of the Joint Compromise Memo filed by the petitioner and the third respondent herein.

For Petitioner	: Mr.P.M.Vishnuvarthanan
For R1 & R2	: Mr.K.S.Durai Pandian Additional Public Prosecutor
For R3	: M/s.M.Viji

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.70 of 2017 pending before III Additional District Court-cum-Sessions Court (PCR Cases), Madurai.



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

3. The petitioner is the sole accused in Cr.No.895 of 2016. Based on the complaint lodged by the third respondent herein, a case was registered by the respondent police for the offences punishable under Sections 294(b) and 506(i) IPC and Section 4 of TNPWH Act r/w Section 3(2) (v-a) SC/ST POA Act, 2015. After filing the charge sheet, the case was taken on file in C.C.No.70 of 2017 before the III Additional District Court-cum-Sessions Court (PCR Cases), Madurai.

4. It appears that the petitioner and the third respondent, namely, the de-facto complainant have settled their dispute amicably out of Court and that they have also entered into a compromise, on the advise of elders and their relatives. They have also stated that they have acted upon the compromise. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsels, 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 entire proceedings in C.C.No.70 of 2017 pending on the file of the III Additional District Court-cum-Sessions Court (PCR Cases), Madurai.

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 criminal proceedings in C.C.No.70 of 2017, on the file of the III Additional District Court-cum-Sessions Court (PCR Cases), Madurai, 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 (CO)

/True Copy/

Sub Assistant Registrar

To

(Encl. Xerox copy of Joint Compromise Memo)

1. The III Additional District Judge-cum-Sessions Judge,
(PCR Cases), Madurai.
2. The Deputy Superintendent of Police,
Melur Sub Division,
Melur,
Madurai District.
3. The Inspector of Police,
Melur Police Station,
Melur,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.P.M.VISHNUVARTHANA, Advocate SR.No.90162.

Cr1.O.P. (MD) No.16423 of 2017
29.11.2017