



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD) No.16598 of 2017

WEB COPY

V.Mahendran

... Petitioner/ Accused No.1

-Vs-

1. The Inspector of Police,
All Women Police Station,
Bodi, Theni District.
(In Crime No.05 of 2015)

...1st Respondent/ Complainant

2. P.Saritha

... 2nd Respondent /
De-facto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and to quash the charge sheet pending against the petitioner in C.C.No.75 of 2016 on the file of the learned Judicial Magistrate, Bodinayakanur, Theni District, on the ground of compromise.

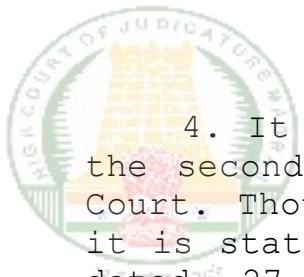
For Petitioner	: Mr.R.Sevugaraja
For R-1	: Mr.K.S.Durai Pandiyan, Additional Public Prosecutor.
For R-2	: Mr.T.Saroja

ORDER

This Criminal Original Petition is filed for quashing the Charge Sheet in C.C.No.75 of 2016 on the file of the learned Judicial Magistrate, Bodinayakanur, Theni District, on the ground of compromise.

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 first accused in the criminal proceedings in C.C.No.75 of 2016. The second respondent herein lodged a complaint as against the petitioner and the same was registered in Crime No.5 of 2015 for the alleged offences under Sections 498(A), 294(b), 323 and 506(ii) of I.P.C. After filing Charge Sheet, the case was taken on file in C.C.No.75 of 2016 by the learned Judicial Magistrate, Bodinayakanur, Theni District for the offence under Section 498(A) of I.P.C.



4. It is appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of Court. Though they have united, a compromise was entered into and it is stated that it was also acted upon. A Joint Compromise Memo dated 27.11.2017 signed by the petitioner and the second respondent in the presence of their respective Counsels is produced before this Court. As per the Joint Compromise Memo, the second respondent has agreed for quashing the Charge Sheet in C.C.No.75 of 2016 on the file of the learned Judicial Magistrate, Bodinayakanur, Theni District.

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 Original petition is allowed and the Charge Sheet in C.C.No.75 of 2016 on the file of the learned Judicial Magistrate, Bodinayakanur, Theni District, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo

To

1. The Judicial Magistrate,
Bodinayakanur, Theni District.
2. The Inspector of Police,
All Women Police Station,
Bodi, Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

PMU

VB/SV/MMS/SAR4/18/01/2018/2P/4C

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