



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2017

CORAM :

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) No.16878 of 2017

S.Jayanthi

... Petitioner/Accused

Vs.

1.The State represented by,
The Sub Inspector of Police,
Thideer Nagar Police Station,
Thideer Nagar, Madurai - 625 001.
(Crime No.579 of 2016) ... 1st Respondent /De-jure Complainant

2.W.Ganapathy ... 2nd Respondent/ De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to C.C.No.192 of 2017, dated 14.07.2017 on the file of the learned Judicial Magistrate No.V, Madurai and to quash the same.

For Petitioner : Mr.Y.Krishnan

For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

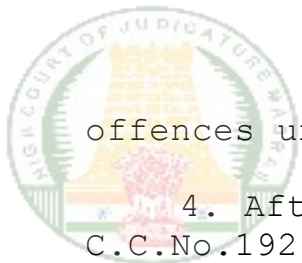
For R-2 : Mr.A.Muthukaruppan

O R D E R

This Criminal Original petition is filed for quashing the Charge Sheet in C.C.No.192 of 2017, dated 14.07.2017 on the file of the learned Judicial Magistrate No.V, Madurai.

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 accused in Crime No.579 of 2016 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.579 of 2016, dated 02.07.2016, for the



offences under Sections 294(b) and 323 of I.P.C.

4. After filing of Charge Sheet, the case was taken on file in C.C.No.192 of 2017 by the learned Judicial Magistrate No.V, Madurai, for the same offences.

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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 elders and relatives. It is stated that the parties also have entered into a compromise. A Joint Compromise Memo 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 second respondent has no objection for quashing the Charge Sheet in C.C.No.192 of 2017 on the file of the learned Judicial Magistrate No.V, Madurai.

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.192 of 2017, dated 14.07.2017 on the file of the learned Judicial Magistrate No.V, Madurai, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

pmu

To

ENCL: XEROX COPY OF COMPROMISE MEMO

1.The Sub Inspector of Police,
Thideer Nagar Police Station,
<https://hcservices.ecourts.gov.in/hcservices/>
Thideer Nagar, Madurai - 625 001.



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

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COPY TO:-

THE JUDICIAL MAGISTRATE NO.V,
MADURAI

+2 CC TO Mr. Y.KRISHNAN , Advocate, Sr.Nos. 91731,92315

JAM/04/01/2018/PM-PN/ SAR 4 4P-6C

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