



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP(MD)No.16879 of 2017

Sivagnanapandiyan

... Petitioner/Accused

Vs.

S.K.V.Muthuramalingam

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in S.T.C.No.1006 of 2011 on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District, dated 17.03.2010 and to quash the same.

For Petitioner

: Mr.A.Uthaya Kumar

For Respondent

: Mr.K.Prakash

O R D E R

This Criminal Original petition is filed for quashing the criminal proceedings in S.T.C.No.1006 of 2011 on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District, dated 17.03.2010.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3.The petitioner is the accused in the private complaint in S.T.C. No.1006 of 2011 on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District. The respondent lodged the private complaint as against the petitioner and the same is pending in S.T.C.No.1006 of 2011 on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District, for the offences under Section 138 and 142 of Negotiable Instruments Act.

4. It appears that the parties, namely, the petitioner and the 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. The Joint Compromise Memo, dated 05.12.2017 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 parties recorded the compromise and requested this Court to quash the proceedings in S.T.C.No.1006 of 2011 on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District.

5. The parties, namely, the petitioner and the 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.

6. 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 criminal proceedings in S.T.C.No.1006 of 2011 on the file of the learned Judicial Magistrate, Paramakudi, Ramanathapuram District, 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

Encl: xerox copy of Joint Compromise Memo

To

1.Through Chief Judicial Magistrate,
Ramanathapuram.

2.The Judicial Magistrate, Paramakudi, Ramanathapuram District.

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

+1cc to Mr.A.Uthaya Kumar, Advocate Sr.No.91752

PMU

VB/SKN/RSK/SAR4/28/12/2017/2P/5C

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