



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.12.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.17014 of 2017

1.Ananthan
2.Devi
3.Mariyayee

... Petitioners/ Accused Nos.1 to 3

Vs

1.The State represented by
The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.

... 1st Respondent/Complainant

2.Lyon Mahimairaj

... 2nd Respondent / Defacto complainant

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to Calendar Case in C.C.No.9 of 2011 pending on the file of learned Judicial Magistrate, Keeranur in Crime No.244 of 2010 on the file of the 1st respondent police punishable under sections 294(b), 323 and 326 of IPC and quash the same.

For Petitioners : Mr.J. Anandkumar

For R1 : Mr.K.S.Duraipandian
Additional Public Prosecutor

For R2 : Mr.S.T.Sasidharan Tamilkani

ORDER

This Criminal Original Petition has been filed to call for the records relating to Calendar Case in C.C.No.9 of 2011 pending on the file of learned Judicial Magistrate, Keeranur in Crime No.244 of 2010 on the file of the first respondent police and quash the same

against the petitioners.



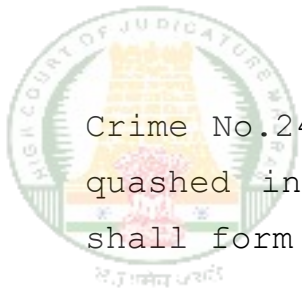
2. Heard the learned Counsel appearing for the petitioners, the learned Additional Public Prosecutor appearing for the first respondent and the learned Counsel appearing for the second respondent.

3. The petitioners are accused Nos. 1 to 3 in Crime No.244 of 2010 on the file of the first respondent. Based on the complaint lodged by the second respondent, a case was registered for offences under sections 294(b), 323, 326 of IPC. After filing charge sheet, a case was taken on file in C.C.No.9 of 2011 on the file of learned Judicial Magistrate, Keeranur.

4. It appears that the petitioners and the second respondent have settled their dispute amicably out of court and that they have also entered into a compromise which was acted upon. A Joint Compromise Memo, dated 06.12.2017 signed by the petitioners and the second respondent in the presence of their respective counsel is produced before this court. As per the terms of the Joint Compromise Memo, the Defacto Complainant expressed that he has no objection to quash the proceedings.

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 proceedings relating to Calendar Case in C.C.No.9 of 2011 pending on the file of learned Judicial Magistrate, Keeranur in



Crime No.244 of 2010 on the file of the first respondent police, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

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7. Accordingly, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

(Encl. Xerox copy of Joint Compromise Memo)

1. The Judicial Magistrate Court,
Keeranur.
2. The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.J.ANANDKUMAR, Advocate SR.No.91995.

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11.12.2017

pnn /am
SDS/KK/SAR 4/27.12.2017/3P/5C