



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.12.2017
CORAM

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

Crl.O.P.(MD) No.17506 of 2017

WEB COPY

M. Kanirajan

... Petitioner / sole Accused

-Vs-

1.State

rep. by the Inspector of Police,
South Police Station,
Thoothukudi.
(Crime No.99 of 2014)

2. Arumugam

... respondents

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the proceedings in C.C.No.336 of 2017 in Crime No.99 of 2017 u/s. 341, 294(b), 387 and 506(ii) of IPC pending on the file of the Judicial Magistrate No.I, Thoothukudi.

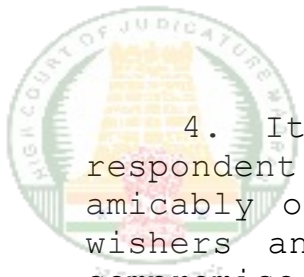
For Petitioners	:	Mr.R. Aravindraaj
For R-1	:	Mr.K.S. Duraipandian Additional Public Prosecutor
For R-2	:	Mr.R. Senthil Prabhakar

ORDER

This Criminal Original petition is filed to call for the records pertaining to the proceedings in C.C.No.336 of 2017 in Crime No.99 of 2017 u/s. 341, 294(b), 387 and 506(ii) of IPC pending on the file of the Judicial Magistrate No.I, Thoothukudi.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent no. 1 and the learned counsel appearing for the second respondent.

3. The petitioner is the first accused in criminal proceedings in C.C.No.336 of 2017, on the file of the learned Judicial Magistrate No.I, Thoothukudi. On the basis of the complaint lodged by the second respondent / de facto complainant, as against the petitioner and others, a case was registered by the first respondent police in Crime No.99 of 2014, for the offences under Sections 341, 294(b), 387 and 506(ii) of IPC. After filing charge sheet, the case was taken on file in C.C.No.336 of 2017, on the file of the learned Judicial Magistrate No.I, Thoothukudi, for the same offence.



4. It appears that parties viz., petitioner and the 2nd respondent / de facto complainant have settled their dispute amicably out of Court, at the instigation of the elders and well wishers and they have also entered into a compromise. A joint compromise memo signed by the parties concerned in the presence of their respective counsels is produced before this Court. As per the joint Compromise Memo, the de facto complainant has agreed to withdraw the criminal complaint which in the subject matter in C.C.No.336 of 2017 and the second respondent have requested this Court to quash the proceedings in C.C.No.336 of 2017, on the file of the learned Judicial Magistrate No.I, Thoothukudi.

5. The parties have appeared before this Court today and expressed in unequivocal terms that the Joint Compromise Memo was signed by them on their own 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 the said circumstances, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, on the basis of the compromise memo signed by the parties, the Criminal Original petition is allowed and the criminal proceedings pending in C.C.No.336 of 2017, on the file of the learned Judicial Magistrate No.I, Thoothukudi is quashed. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

Encl: Xerox Copy of Joint Compromise Memo

To

1. The Inspector of Police,
South Police Station,
Thoothukudi.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R. Aravindraaj, Advocate Sr.No.93800

TRP

VB/JC/SAR3/12/01/2018/2P/4C