



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM

WEB COPY

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

Crl.O.P.(MD) No.17585 of 2017

- 1.Mayavan
- 2.Manojkumar
- 3.Sakthivel
- 4.A.Manikandan
- 5.Rajeswari
- 6.Lokamani

... Petitioners/accused nos.1 to 6

-Vs-

1. State rep. by
The Inspector of Police,
C3, S.S. Colony Police Station,
Madurai District.
(Crime No.495 of 2015)

... 1st Respondent/Complainant

2. Ramesh

... 2nd respondent/Defacto Complainant

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the case in C.C.No.221 of 2017 pending before the learned Judicial Magistrate No.V, Madurai and quash the same.

For Petitioners : Mr.M.Meenal Pandian

For R-1 : Mr.K.S.Duraipandian
Additional Public Prosecutor

For R-2 : Mr.M.Murugesan

O R D E R

This Criminal Original petition is filed to call for the records pertaining to the case in C.C.No.221 of 2017 pending before the learned Judicial Magistrate No.V, Madurai and quash the same.

<https://hcservices.courts.gov.in/hcservices/>
2. Read the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first



respondent and the learned counsel appearing for the second respondent.

3. The petitioners are the accused nos.1 to 6 in Criminal Proceedings in C.C.No. 221 of 2017, on the file of the learned Judicial Magistrate No.V, Madurai. On the basis of the complaint lodged by the second respondent / de facto complainant, a case was registered by the first respondent police in Crime No.495 of 2015 for the offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC, against the petitioners. Thereafter, the first respondent police has filed a charge sheet before the learned Judicial Magistrate No.V, Madurai, and the same was taken on file in C.C.No. 221 of 2017.

4. It appears that parties viz., petitioners and the second 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.

5. As per the joint compromise memo, the petitioners and the second respondent, who have appeared before this Court have stated in unequivocal terms that the Joint Compromise Memo was signed by them on their own will and volition. The identities 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 Compromise Memo, the de facto complainant has agreed to withdraw the criminal case and the petitioners and the second respondent have requested this Court to quash the proceedings in C.C.No. 221 of 2017 on the file of the learned Judicial Magistrate No.V, Madurai.

7. 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 proceedings pending in C.C.No. 221 of 2017 on the file of the learned Judicial Magistrate No.V, Madurai is quashed in toto. The Joint Compromise Memo signed by the parties dated 11.12.2017 shall form part of the order.

Sd/-

Assistant Registrar(RTI)

/True Copy/



To

1. The Judicial Magistrate No.V, Madurai.
2. Do Through the Chief Judicial Magistrate, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Inspector of Police,
C3, S.S. Colony Police Station,
Madurai District.

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PK/JC/SAR-4/12.01.2018 : 3P/5C