



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM

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

Crl.O.P.(MD) No.17643 of 2017

WEB COPY

Mani @ Deivendran

... Petitioner / Accused

-Vs-

1.The Inspector of Police,
Koodal Pudur Police Station,
Madurai District.
(Crime No.306 of 2011)

2.M.Gandhimathi

... respondents

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.297 of 2013 in Crime No.306 of 2011, dated 25.06.2011 on the file of the learned Judicial Magistrate No.IV, Madurai and quash the same.

For Petitioner	:	Mr.S.Sivaprakash
For R-1	:	Mr.K.S. Duraipandian
		Additional Public Prosecutor
For R-2	:	Mr.B.Vishwanathan

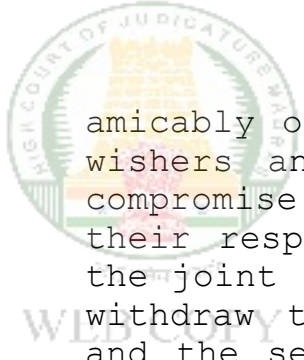
ORDER

This Criminal Original petition is filed to call for the records in C.C.No.297 of 2013 in Crime No.306 of 2011 dated 25.06.2011 on the file of the learned Judicial Magistrate No.IV, Madurai and quash the same.

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 accused in criminal proceedings in C.C.No.297 of 2013, on the file of the learned Judicial Magistrate No.IV, Madurai. On the basis of the complaint lodged by the second respondent / de facto complainant, as against the petitioner, a case was registered by the first respondent police in Crime No.306 of 2011, for the offences under Sections 452, 427, 294(b), 506(i) of IPC r/w. 4 of TNPWH Act. After filing charge sheet, the case was taken on file in C.C.No.297 of 2013, on the file of the learned Judicial Magistrate No.IV, Madurai, for the same offence.

<https://hcservices.courts.gov.in/hcservices/>
1. 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 proceedings pending in C.C.No.297 of 2013 and the second respondent have requested this Court to quash the proceedings in C.C.No.297 of 2013, on the file of the learned Judicial Magistrate No.IV, Madurai.

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.297 of 2013, on the file of the learned Judicial Magistrate No.IV, Madurai 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 Judicial Magistrate No.IV , Madurai.

2. The Chief Judicial Magistrate, Madurai.

3. The Inspector of Police,
Koodal Pudur Police Station,
Madurai District.

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

+1cc to Mr.S.Sivaprakash, Advocate Sr.No.94502

TRP

VB/GT/SAR3/19/01/2018/3P/6C