



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

CORAM

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

CrI.O.P.(MD) No.17800 of 2017

Shenkol ... Petitioner / Sole accused

-Vs-

1.State

rep. by the Deputy Superintendant of Police,
Devakottai,
Sivagangai District.

2.The Inspector of Police,
Kallal Police Station,
Sivagangai District.

(Crime No.119 of 2015) ...1st & 2nd Respondents/complainants

3.Chandru ... 3rd Respondent/Defacto complainant

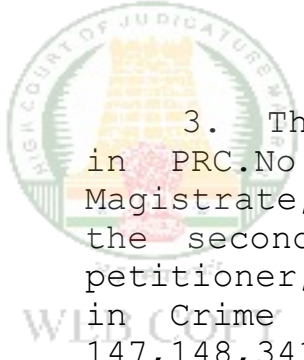
Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the entire records in relating to the impugned charge sheet in PRC.No.37 of 2015 on the file of the learned Judicial Magistrate, Karaikudi and to quash the same.

For Petitioner	:	Mr.S. Vinayagam
For R-1 & R-2	:	Mr.K.S. Duraipandian Additional Public Prosecutor
For R-3	:	Mr.R. Kathiresaperumal

O R D E R

This Criminal Original petition is filed to call for the entire records in relating to the impugned charge sheet in PRC.No.37 of 2015 on the file of the learned Judicial Magistrate, Karaikudi and to quash the same.

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



3. The petitioner is the sole accused in criminal proceedings in PRC.No.37 of 2015, on the file of the learned Judicial Magistrate, Karaikudi. 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.119 of 2015, for the offences under Sections 147,148,341,294(b),324, 506(ii) of IPC and Section 3(1)(ii) (x)(r) and (s) of SC/ST (POA) Act, 1989 in Crime No.119 of 2015. After filing charge sheet, the case was taken on file in PRC.No.37 of 2015, on the file of the learned Judicial Magistrate, Karaikudi, for the same offence.

4. It appears that parties viz., petitioner and the 3rd 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 PRC.No.37 of 2015 and the third respondent have requested this Court to quash the proceedings in PRC.No.37 of 2015, on the file of the learned Judicial Magistrate, Karaikudi.

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 second 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 PRC.No.37 of 2015, on the file of the learned Judicial Magistrate, Karaikudi is quashed in toto. The Joint Compromise Memo dated 14.12.2017 signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

<https://hccs.courts.gov.in/cases>
 The Deputy Superintendent of Police,
 Devakottai, Sivagangai District.



2. The Inspector of Police,
Kallal Police Station,
Sivagangai District.

3. The Judicial Magistrate, Karaikudi

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

+1cc to Mr.M.S.Jeyakarthik, Advocate Sr.No.94196

TRP

VB/JC/SAR3/12/01/2018/3P/6C

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