



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. (MD) No.3073 of 2017

1.Shanthi
2.Loganathan @ Kannan : Petitioners/Accused no 1&2

-vs-

1.State rep. by its
The Inspector of Police,
Andipatti Police Station,
Theni District.
(Crime No.628/2014).

2.Vijayakumar : Respondents

Prayer: Petition is filed under Section 482 of Code of Criminal Procedure praying to call for the records pertaining to the case in S.T.C.No.1397 of 2015 on the file of the District Munsif -cum-Judicial Magistrate, Andipatty and quash the same.

For Petitioners : Mr.G.Ganesh Kumar

For Respondent No.1 : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

For Respondent No.2 : Mr.R.Ramachandran

O R D E R

On the complaint lodged by the second respondent, the first respondent police has registered a case in Crime No.628 of 2014 and after completing the investigation, has filed a final report in S.T.C.No.1397 of 2015 before the learned District Munsif -cum-Judicial Magistrate, Andipatty, for offences under Sections 323 and 506(i) of the Indian Penal Code against the petitioners, challenging which, the petitioners and the *defacto* complainant are before this Court for quashing the charge sheet laid against the petitioners on the ground that they have arrived at a compromise.



2. Today, when the matter is taken up for hearing, Mr.K.Rajendran, Special Sub-Inspector of Police, Andipatti Police Station, Theni District, is present in Court. The *defacto* complainant is present and the accused are also present and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Mr.K.Rajendran, Special Sub-Inspector of Police, Andipatti Police Station, Theni District,

3. The petitioners and the second respondent have filed a joint compromise memo dated 15.03.2017, in which, it has been stated as follows:

"3. The petitioners submit that after filing the final report both the accused herein and the 2nd respondent herein settled the matter out of Court, at instance of the elder of both family and they filed a quash petition before this Hon'ble Court and now the petitioners filing the memo of compromise to quash the case in S.T.C.No.1397 of 2015 on the file of District Munsif cum Judicial Magistrate, Andipatty."

4. In view of the joint memo of compromise dated 15.03.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, the entire proceedings in S.T.C.No.1397 of 2015 pending on the file of the learned District Munsif -cum- Judicial Magistrate, Andipatty, in respect of all the accused, are hereby quashed.

5. Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint compromise memo dated 15.03.2017 shall form part of this order.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

Encl:Xerox copy of Compromise memo

1.The District Munsif -cum- Judicial Magistrate,
Andipatty.

2.The Inspector of Police,
Andipatti Police Station,
Theni District.



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

+1 cc to Mr.G.Ganesh Kumar , Advocate in SR.No. 15894

SML

AE/MR/27.03.2017/3P/5C

Order made in
Cr1.O.P.(MD) No.3073 of 2017
Dated: 20.03.2017
(1/2)