



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2017

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CORAM:

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

Crl.O.P. (MD) No.4389 of 2017

1.Arjunan
2.Jai Harish

: Petitioners/Accused Nos.1 and 2

Vs.

1. State through the Inspector of Police,
Virudhunagar Bazaar Police Station,
(In Crime No.299 of 2016),
Virudhunagar District. : 1st Respondent/Complainant

2. Ayyanar : 2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to call for records and to quash the charge sheet in C.C.No.132 of 2016 pending on the file of the learned Judicial Magistrate No.I, Virudhunagar.

For Petitioners : Mr.R.Rajamohan
For Respondent No.1: Mr.A.P.Balasubramani,
Government Advocate (Crl.side)
For Respondent No.2: Mr.J.Senthil Kumaraiah for
M/s.Dhana Law Associates

ORDER

The petitioners approach this Court with a prayer to quash the charge sheet in C.C.No.132 of 2016 pending on the file of the Court of Judicial Magistrate No.I, Virudhunagar.

2. The learned counsel appearing for the petitioners would submit that the second respondent/*defacto* complainant lodged a complaint against the petitioners for the commission of offences under Sections 294(b), 324 and 506(ii) of I.P.C on the file of the first respondent police station. Based on which, a case in Crime No.299 of 2016 was registered. The said case, after



investigation, has culminated in a charge sheet, which has been taken on file in C.C.No.132 of 2016 on the file of the Court of Judicial Magistrate No.I, Virudhunagar. It is the further submission of the learned counsel for the petitioner that pendency of the criminal case, compromise has been reached between the second respondent and the petitioners/accused. In this regard, a joint compromise memo dated 11.04.2017 signed by them as well as their counsel have also been filed and it may be taken on file and the proceedings may be quashed.

3. This Court heard the submissions of the learned Government Advocate(Crl. Side) appearing for the first respondent/State and the learned counsel appearing for the second respondent/*defacto* complainant and they would submit that in the light of the compromise reached between the parties, the criminal proceedings may be quashed.

4. The second respondent/*defacto* complainant and as well as the petitioners/accused are present before this Court and they would submit that in the light of the compromise reached, the criminal proceedings may be quashed.

5. This Court after taking into consideration the submissions made by the learned counsel appearing for the petitioners as well as the second respondent and the learned Government Advocate(Crl. Side) appearing for the first respondent/State and also taking into consideration the joint compromise memo dated 11.04.2017, is of the view that no purpose would be achieved in keeping the criminal case pending.

6. In the result, this Criminal Original Petition is allowed and the proceedings in C.C.No132 of 2016 on the file of the Court of Judicial Magistrate No.I, Virudhunagar, in respect of the petitioners are quashed. The joint compromise memo, dated 11.04.2016 is placed on record.

Sd/-
Assistant Registrar ()

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I,



2. The Inspector of Police,
Virudhunagar Bazaar Police Station,
Virudhunagar District.

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

+ 2 CC TO Mr.R.RAJAMOHAN, ADVOCATE IN SR No. 51876

PM

TE/MMS : 05/05/2017 : 3P/6C

Order made in
Crl.O.P.(MD)No.4389 of 2017
Dated: 13.04.2017