



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD)No.8153 of 2017

1.K.Ashok Kumar

2.Banu

: Petitioners

-Vs-

1.The State rep. by,

The Sub Inspector of Police,
Oomachikulam Police Station,
Madurai District.

(Crime No.435 of 2013).

[Now presently transferred to
Inspector of Police,
Thallakulam Police Station,
Madurai City]

2.G.Vishnuram

: Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to call for the records in S.T.C.No.62 of 2017 on the file of the Judicial Magistrate No.II, Madurai, in Crime No.435 of 2013 on the file of the first respondent and quash the same as illegal and devoid of merits.

For Petitioners : Mr.K.R.Laxman

For Respondent No.1 : Mr.K.Anbarasan,
Government Advocate (Cr1.side)

For Respondent No.2 : Mr.A.Uthaya Kumar

O R D E R

On the complaint lodged by Vishnuram, the first respondent police registered a case in Crime No.435 of 2013 and after completing the investigation, have filed a charge sheet in S.T.C.No.62 of 2017 before the learned Judicial Magistrate No.II, Madurai, for offences under Sections 294(b), 323 and 506(i) of the Indian Penal Code against the petitioners, challenging which, the petitioners are before this Court, for quashing the charge sheet on the ground that the parties have arrived at a compromise.

2. The *defacto* complainant and the petitioners are present. They have filed a joint compromise memo dated 24.06.2017, wherein, it is stated as follows:

"4. The petitioners submits that the petitioners and the 2nd respondent are neighbours, the 2nd respondent given the complaint under frustration. Now the 2nd respondent realized his mistake and willing to withdraw the criminal



case in S.T.C.No.62 of 2017 on the file of the learned Judicial Magistrate No.II, Madurai.

5. Now the issue has been resolved between the petitioners and the 2nd respondent. Hence both decided to give a quietus so far as the above criminal case is concerned.

6. Hence the petitioners and the 2nd respondent are filing the joint memo in support of their application seeking permission to quash the offences before this Hon'ble Court. This joint memo may be taken as part and parcel of their application to quash the offences after the permission of this Hon'ble Court."

3. In view of the above, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, this petition is allowed and the entire proceedings in S.T.C.No.62 of 2017 on the file of the learned Judicial Magistrate No.II, Madurai, in respect of all the accused including those who are not before this Court are hereby quashed. The joint compromise memo dated 24.06.2017 shall form part of this order.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.II,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.A.UTHAYAKUMAR Advocate in SR. No.63068

+1cc to Mr.K.R.LAXMAN Advocate in SR. No.62625

SML

JS/JC/SAR.1/10.07.2017/2P-5C

Order made in
CRL.O.P. (MD) No.8153 of 2017

Dated: 29.06.2017
(2/2)