



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2017

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WEB COPY

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

Crl.O.P(MD) No.8613 of 2017

1.Murugan
2.Selvam @ Selvaraj
3.Chellapandi
4.Sethu Pandian ...Petitioners/Accused Nos.1 to 4

-vs-

1.State Rep.by The Inspector of Police,
Nachiyapuram Police Station,
Sivagangai District,
in Crime No.96 of 2015. .. Respondent/Complainant

2.Madhavan ...Respondent/De-facto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying this Court to call for the records in connection with in C.C.No.31 of 2016 filed before the learned Judicial Magistrate, Thiruppathur, Sivagangai District, and quash the same.

For Petitioner	: Mr.S.Vanchinathan
For R-1	: Mr.K.Anbarasan Government Advocate (Crl.side)
For R-2	: Mr.R.Karunanidhi

O R D E R

This Criminal Original Petition has been filed to call for the records in connection with in C.C.No.31 of 2016 filed before the learned Judicial Magistrate, Thiruppathur, Sivagangai District, and quash the same.

2.Heard the learned counsel for the Petitioner and the learned Government Advocate(Crl.side) appearing for the first respondent and the learned counsel appearing for the second respondent.

3. The case has been registered under Section 294(b), 323 and 506(ii) of IPC against the petitioners, who are arrayed as Accused Nos.1 to 4 in this case and same was taken on file as C.C.No.31 of 2016, which is pending on the file of the learned Judicial Magistrate, Thiruppathur, Sivagangai District. A counter



case was also registered in Crime No.96 of 2015, on the file of the first respondent Police. However, after the case was registered the petitioner and the defacto complainant have settled the issue out of Court through a compromise memo.

4. The compromise memo was signed by the parties on 25.04.2017, in which the de-facto complainant and the petitioners have requested to post this case before this Court to accept the compromise memo and quash the charge sheet in C.C.No.31 of 2016 on the file of the Learned Judicial Magistrate, Thiruppathur, Sivagangai District.

5. The parties concerned submitted that the compromise memo was entered into between them and was signed by them before their respective counsels on their own volition.

6. The identity of the parties mentioned in the compromise memo, dated 25.04.2017 are also verified, with reference to the authenticated documents like Voters list and Aadhar Card and the same was also confirmed by the learned Government Advocate through the first respondent Police.

7. Having regard to the joint compromise memo, this court is of the view that no useful purpose will be served by keeping this petition pending. Hence, this petition is allowed and the charge sheet in C.C.No.31 of 2016 on the file of the Judicial Magistrate, Thiruppathur, Sivagangai District is quashed. The compromise memo shall form the part of this order.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

Encl:-

Joint Compromise dated 25/04/2017 xerox copy is enclosed herewith
To

- 1.The Judicial Magistrate, Thiruppathur, Sivagangai District
- 2.The Chief Judicial Magistrate, Sivagangai District
- 3.The Inspector of Police, Nachiyapuram Police Station,
Sivagangai District,
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+One cc to Mr.S.Vanchinathan, Advocate, SR.No.64319

TA/CP

RL/6C/2P/KP/SAR1/11/7/2017

Cr1.O.P.(MD)No.8613 of 2017