

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 12.07.2017****CORAM****THE HON'BLE MR.JUSTICE S.S.SUNDAR****WEB COPY****Cr1.O.P.(MD) No.8758 of 2017**

Shyed Ibrahimsha

... Petitioner/Sole Accused

-Vs-

1. The State represented by
The Sub-Inspector of Police,
Thiruppathur Town Police Station,
Sivagangai District.
(Crime No.12 of 2017) ... Respondent/Complainant

2. Pandiyan ... Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records pertaining to Charge Sheet in C.C.No.44 of 2017 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur and to quash the same.

For Petitioner : Mr.M.Solaisamy
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 : Mr.V.Sankara Narayanan

ORDER

This Criminal Original petition is filed only for quashing the Charge Sheet in C.C.No.44 of 2016 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur.

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

3. On the basis of the complaint preferred by the second respondent/defacto complainant, a case was registered by the first respondent in Crime No.12 of 2017, dated 12.01.2017, for the offences under Sections 294(b), 324 and 506(ii) of I.P.C. The first respondent filed final report which was taken on file in C.C.No.44 of 2017 before the learned District Munsif cum Judicial Magistrate, Thiruppathur.



4. After the complaint, at the advise of the elders and well wishers, the petitioner/sole accused and the second respondent/defacto complainant have entered into a compromise. The parties appeared before this Court and stated that the Joint Compromise Memo has been signed by them on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Government Advocate(Criminal side) through the first respondent police. In the Compromise Memo, the second respondent has stated that he is willing to withdraw the criminal case and that he has no objection for quashing the Charge Sheet in C.C.No.44 of 2017 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur.

5. 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 Charge Sheet in C.C.No.44 of 2017 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur is quashed in *toto* and the Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petition is allowed.

Annexure: Joint Compromise Memo

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif cum Judicial Magistrate,
Thiruppathur, Sivagangai District.
2. The Sub-Inspector of Police,
Thiruppathur Police Station,
Sivagangai District.

+1cc to Mr.V.Sankara Narayanan, Advocate Sr.No.65456

PMU

VB/MR/KKR/SAR4/20.07.2017/2P/4C

Crl.O.P. (MD) No.8758 of 2017
12.07.2017