



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL. O.P.(MD)No.9572 of 2017

WEB COPY

Raja

... Petitioner/Sole Accused

Vs.

1.The Sub-Inspector of Police,
Anna Nagar Police Station,
Madurai City,
Madurai.

(Crime No.453 of 2012)

... 1st Respondent/Complainant

2.Marimuthu
Complainant

... 2nd Respondent/De-facto

PRAYER: Criminal Original petition is filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the case in S.T.C.No.1510 of 2015 before the learned Judicial Magistrate No.VI, Madurai, and to quash the same as illegal.

For Petitioner	: Mr.N.Satheeshkumar
For R-1	: Mr.K.Anbarasan, Government Advocate(Crl. Side).
For R-2	: Mr.D.Thambi Durai

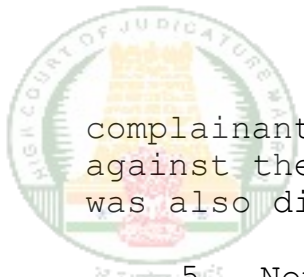
O R D E R

This Criminal Original petition is filed for quashing the criminal case in S.T.C.No.1510 of 2015 on the file of the learned Judicial Magistrate No.VI, Madurai.

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 received from the second respondent/defacto complainant, a case was registered in Crime No.453 of 2012 for the offence under Sections 294(b) and 506(i) of I.P.C., against the petitioner. A Charge Sheet also was filed and the same was taken on file in S.T.C.No.1510 of 2015 on the file of the learned Judicial Magistrate No.VI, Madurai.

4. It is submitted that the dispute was purely in civil nature and a suit was filed in O.S.No.69 of 2013 before the District Munsif Court, Melur, and ultimately, the matter was pending in S.A.(MD) SR.No.46217 of 2016. At that stage a compromise was reached between the parties and the same was also dismissed in terms of the compromise. Even when the Compromise Memo was filed before this Court in the civil proceedings, the petitioner and the defacto



complainant agreed to withdraw the criminal case which was lodged against the petitioner in Crime No.453 of 2012 and the Second Appeal was also dismissed on the basis of the Compromise Memo.

5. Now the parties have entered into a compromise, dated 08.06.2017 so as to get the matter disposed in terms of the Compromise Memo. In the Compromise Memo, dated 08.06.2017, it is clearly recorded the fact that the parties have agreed for quashing the criminal case in S.T.C.No.1510 of 2015 pending before the learned Judicial Magistrate Court No.VI, Madurai.

6. Today, the parties appeared before this Court and expressed in unequivocal terms that they have settled the matter outside Court and they have signed in the Compromise Memo on their own free will and volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Government Advocate(Criminal side) through the first respondent police.

7. Having regard to the terms of Compromise Memo, this Court is of the view that no useful purpose will be served by keeping this matter pending.

8. As a result, the Criminal Original petition is allowed and on the basis of the compromise memo signed by the parties, the criminal case in S.T.C.No.1510 of 2015 on the file of the learned Judicial Magistrate No.VI, Madurai, is quashed in toto and the Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The Sub-Inspector of Police,
Anna Nagar Police Station,
Madurai City.
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.N.SATHESH KUMAR Advocate in SR. No.67494

+1cc to Mr.P.THAMBI DURAI Advocate in SR. No.67770

PMU

JS/GT/SAR.3/3.8.2017/2P-5C

CRL OP(MD)No.9572 of 2017
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