



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.01.2017**

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P. (MD) No.23743 of 2016

Abdul Rahman Sait

... Petitioner / 1st Accused

Vs

1.The State rep. by,
The Sub Inspector of Police
Airport Police Station,
Trichy District.
(Crime No.438 of 2015)

..1st Respondent / Complainant

2. Abdul Salam

.. 2nd Respondent/De-facto Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to C.C.No.60 of 2016, pending on the file of learned Judicial Magistrate No.VI, Trichy and quash the same.

For Petitioner : Mr.Santhanam Rajeshkumar

For R-1 : Mr.A.P.Balasubramani
Government Advocate (Crl. Side)

For R-2 : Mr.R.Lakshmanan

O R D E R

This petition has been filed to quash the entire proceedings in C.C.No.60 of 2016, pending on the file of the learned Judicial Magistrate No.VI, Trichy.

2. Heard the learned counsel for the petitioner, the learned counsel for the second respondent and the learned Government Advocate (Crl. Side) for the first respondent.

3. The learned counsel for the petitioner would submit that based on the complaint given by the second respondent/de facto complainant, a case has been registered against the petitioner in Crime No.438 of 2015, for the offences under Sections 120(b), 365 and 511 of IPC., on the file of the first respondent police and after filing final report and the same was taken on file as C.C.No.60 of 2016 by the learned Judicial Magistrate No.VI, Trichy.

<https://hcservices.ecourts.gov.in/hcservices/>

4. When the matter is taken up for hearing today, both the



petitioner as well as the second respondent are appeared in person and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Crl. Side) through the respondent police and they categorically made a statement that the dispute between them have been settled amicably. They also filed a joint memo of compromise dated 08.12.2016, duly signed by both parties and counter signed by their respective Counsel.

5. In view of the above, since the dispute between the parties was amicably settled out of Court, there is no necessity to keep this case pending. Accordingly, this Criminal Original Petition is allowed and the entire proceedings in Crime No.438 of 2015, for the offences under Sections 120(b), 365 and 511 IPC., on the file of the first respondent and the consequential proceedings in C.C.No.60 of 2016, on the file of the learned Judicial Magistrate No.VI, Trichy, is hereby quashed. The joint memo of compromise shall form a part of this order.

Sd/-

Assistant Registrar (C)

/True copy/

Sub Assistant Registrar

Encl: Xerox copy of Compromise Memo

To

1.The Judicial Magistrate No.VI,
Trichy.

2.do thro'The Chief Judicial Magistrate,
Trichy.

3.The Sub Inspector of Police,
Airport Police Station,
Trichy District.

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

+1 CC to M/s.B.SANTHANAM RAJESH, Advocate, SR No.1581.

PJL

PSM/JM/10.02.2017/2P/6C

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