



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2017

CORAM

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD) No.9133 of 2016

and

CRL.M.P.(MD) No.4555 of 2016

N.Govindaramu

... Petitioner/Accused No.3

-Vs-

1.The State represented by
The Inspector of Police,
District Crime Branch,
Ramanathapuram.

... Respondent / Complainant

2.S.Muthuramalingam.

... Respondent / De-facto Complainant

3.R.A.Rasu

4.A.Rajeswari

... Respondent / Accused 1 and 2

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No. 141 of 2015 on the file of the Judicial Magistrate Court No. II, Ramanathapuram and quash the same as illegal as against the petitioner.

For Petitioner

: Mr.G.Murugendran

For R1

: Mr.K.S.Duraipandian

Additional Public Prosecutor

For R2

: Mr.D.Balamurugapandi

O R D E R

This Criminal Original Petition has been filed to call for the records in C.C.No. 141 of 2015 on the file of the Judicial Magistrate Court No. II, Ramanathapuram and quash the same as illegal as against the petitioner.

2.Heard the learned Counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the first respondent and the learned Counsel appearing for the respondent 2.

3.The petitioner is the third accused in the criminal proceedings in C.C.No.141 of 2015 on the file of the Judicial Magistrate Court No. II, Ramanathapuram. Based on the complaint lodged by the second respondent, a case was registered in Crime No.28 of 2015 for the offences punishable under Sections 406, 420



and 506(i) of IPC. After filing the charge sheet, the case was taken on file by the Judicial Magistrate Court No. II, Ramanathapuram in C.C.No.141 of 2015.

4. It appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of Court, at the intervention of elders and relatives and a compromise was also reached. A Joint Compromise Memo, dated 05.12.2017, signed by both the parties, in the presence of their respective Counsels, is also produced before this Court. As per the Joint Compromise Memo, the second respondent has specifically agreed for quashing the criminal proceedings in C.C.No.141 of 2015 pending on the file of the Judicial Magistrate Court No. II, Ramanathapuram, insofar as the petitioner is concerned.

5. Today, the parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint 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 Additional Public Prosecutor through the first respondent police.

6. In view of the specific terms of the Joint Compromise Memo, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence the criminal proceedings in C.C.No.141 of 2015 pending on the file of the Judicial Magistrate Court No. II, Ramanathapuram, is quashed insofar as the petitioner / accused No.3 is concerned. The Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original Petition is allowed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

Enclosure : Joint Compromise Memo (Xerox Copy)

1. The Judicial Magistrate Court No. II,
Ramanathapuram.

2. The Inspector of Police,
District Crime Branch,
Ramanathapuram.



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

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+1cc to M/S.G.Murugendran, Advocate SR.No. 92498

CRL.O.P.(MD) No.9133 of 2016
11.12.2017

cmr

JM/JC/SAR 4/29.12.2017/3P/5C