



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2018

CORAM

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM

Cr1.O.P. (MD) No. 1214 of 2018

1. Muthupandi
2. Ramesh
3. Ramar

...Petitioners/Accused Nos.1 to 3

-Vs-

1. State Represented by
The Inspector of Police,
Silaiman Police Station,
Madurai District.
(in Crime No.222 of 2002)

...1st Respondent/Complainant

2. Suresh

...2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to charge sheet in Spl.S.C.No.60 of 2017, on the file of the Special Court for PCR cases, Madurai and quash the same.

For Petitioners : Mr.G.Karuppasamy Pandiyan

For R1 : Mr.Prabu Ramachandran
Government Advocate (Cr1.side)

For R2 : Mr.R.Manikandan

ORDER

The Criminal Original Petition has been filed to call for the records relating to charge sheet in Spl.S.C.No.60 of 2017, on the file of the Special Court for PCR cases, Madurai and quash the same.

2. Heard the learned counsel appearing for the petitioners, learned Government Advocate (Cr1.side) appearing for the first respondent, and the learned counsel appearing for the second respondent.



3.The petitioners are accused No. 1 to 3 in Crime No.222 of 2002. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 341, 324 and 506(ii) I.P.C., and 3(1) (x) of SC/ST Act.

4.It appears that the petitioners and the second respondent, namely, the de-facto complainant have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and their relatives. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent, has no objection for quashing the FIR in Cr.No. 222 of 2002 on the file of the first respondent.

5.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 Government Advocate (Crl.side) through the first respondent police.

6.Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the charge sheet in Spl.S.C.No.60 of 2017, on the file of the Special Court for PCR Cases, Madurai, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

7.Accordingly, the Criminal Original petition is allowed.

[Joint Compromise Memo signed by the Parties enclosed along with this order]

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The III Additional District Judge(PCR),Madurai.
2. The Inspector of Police,
Silaiman Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

Sss

MV:GT:SAR3:19/02/2018/2P/4C