



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.02.2018

CORAM

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM

Crl.O.P.(MD) No.1943 of 2018

Ochubalu

.. Petitioner/Sole Accused

-Vs-

1. The Assistant Commissioner of Police,
Thilagar Thidal Circle (L & O),
Madurai City.
(Crime No.1271 of 2012) ... 1st Respondent/Complainant
2. Subramanian ... 2nd Respondent/ *De facto*
Complainant
3. Paulraj ... 3rd Respondent / PW-2

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the case pending in Spl.S.C.No.3 of 2014 on the file of the third Additional District and Sessions Court - PCR Cases - Madurai and quash the same as the matter is amicably settled between parties.

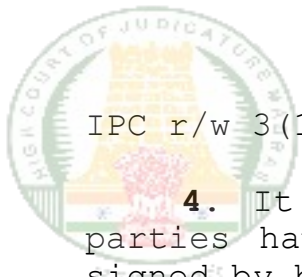
For Petitioner	: Mr.R.Gandhi
For 1 st Respondent	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate (Crl.side)
For 2 nd Respondent	: Mr.T.Thirumurugan

ORDER

This Criminal Original Petition has been filed to call for the records relating to the case pending in Spl.S.C.No.3 of 2014 on the file of the third Additional District and Sessions Court - PCR Cases - Madurai and quash the same as the matter is amicably settled between parties.

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

3. The petitioner is the sole accused in Crime No.1271 of 2012. Based on the complaint lodged by the second respondent, against the petitioner, the case was registered in Crime No.1271 of 2012 and the same was taken on file in Spl.S.C.No.3 of 2014 on the file of the the third Additional District and Sessions Court - PCR Cases - Madurai, for the offence punishable under Sections 406, 420, 506(i)



IPC r/w 3(1)(X) of the SC/ST Act.

4. It appears that on the advice of friends and elders, the parties have entered into compromise and a Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed to quash the charge sheet in Spl.S.C.No.3 of 2014.

5. The parties have 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.3 of 2014, on the file of the third Additional District and Sessions Court - 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.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

**Encl.: Xerox copy of Compromise Memo
To**

1. The III Additional District and Sessions Judge
(PCR Cases), Madurai,
2. The Assistant Commissioner of Police,
Thilagar Thidal Circle (L & O), Madurai City.
3. The Government Advocate,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.R.GANDHI, ADVOCATE IN SR No. 50673
+ 1 CC TO Mr.T.THIRUMURUGAN, ADVOCATE IN SR No. 51197

SM

TE/JC/SAR-2 : 27/02/2018 : 2P/6C