



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2018
CORAM

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P. (MD) No.2290 of 2018

1.Bala Murugan

2.Murugakani

... Petitioners/ Accused No.1 & 2

-Vs-

1.The State Represented by its,
The Inspector of Police,
Ilamchembur Police Station,
Ramanathapuram District.
(Crime No.10 of 2016)

... 1st Respondent/Complainant

2.Chandran

... 2nd Respondent/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records relating to the impugned Charge Sheet in S.C.No.67 of 2016 on the file of the Subordinate Court, Mudukulathur and to quash the same.

For Petitioners : Mr.M.S.Jeyakarthik

For 1stRespondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Cr1.side)

For 2nd Respondent : Mr.E.Ravi

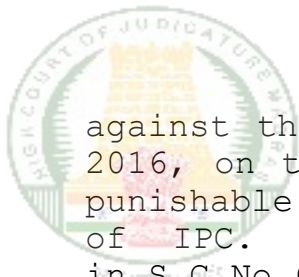
ORDER

This Criminal Original Petition has been filed to call for the entire records relating to the impugned Charge Sheet in S.C.No. 67 of 2016 on the file of the Assistant Sessions Judge, Mudukulathur and to 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.

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

3.The petitioners are accused Nos. 1 and 2 in Crime No.10 of 2016. Based on the complaint lodged by the second respondent,



against the petitioners, the case was registered in Crime No.10 of 2016, on the file of the first respondent police, for the offences punishable under Sections 294(b), 323, 506(ii) and 307 IPC r/w. 34 of IPC. After filing the charge sheet, the case was taken on file in S.C.No.67 of 2016, by the Assistant Sessions Judge, Mudukulathur.

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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 S.C.No.67 of 2016 on the file of the Subordinate Court, Mudukulathur.

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 S.C.No.67 of 2016, on the file of the Subordinate Court, Mudukulathur, is quashed in respect of the petitioners herein. 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

To

(Encl. Xerox copy of Joint Compromise memo)

1.The Subordinate Judge,
Subordinate Court, Mudukulathur.

2.The Inspector of Police,
Ilamchembur Police Station, Ramanathapuram District.

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

+1cc to M/S.M.S.JEYAKARTHIK, Advocate SR.No.48542.

Crl.O.P. (MD) No.2290 of 2018
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