



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2018

CORAM

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.2499 of 2018

Muralidharan

... Petitioner/ Sole Accused

-Vs-

1.State rep by

The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.234 of 2015)

... 1st Respondent/Complainant

2.Rajkumar

... 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 C.C.No.374 of 2016 on the file of the Additional District Munsif cum Judicial Magistrate, Manamadurai, Sivagangai District and quash the same.

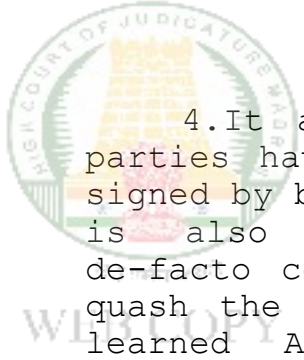
For Petitioner : Mr.A.George Stephen
For 1stRespondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)
For 2nd Respondent : Mr.M.Murugesan

ORDER

This Criminal Original Petition has been filed to call for the records relating to Charge sheet in C.C.No.374 of 2016 on the file of the Additional District Munsif cum Judicial Magistrate, Manamadurai, Sivagangai District and quash the same.

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.234 of 2015. Based on the complaint lodged by the second respondent, against the petitioner, the case was registered in Crime No.234 of 2015, on the file of the first respondent police, for the offences punishable under Sections 294(b) and 506(ii) IPC. After filing the charge sheet, the case was taken on file in C.C.No.374 of 2016, by the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, Sivagangai District.



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 C.C.No.374 of 2016 on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, Sivagangai District.

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 C.C.No.374 of 2016, on the file of the learned Additional District Munsif cum Judicial Magistrate, Manamadurai, Sivagangai District, 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

To

Enclosure : The Joint Compromise Memo, dated 13.02.2018

- 1.The learned Additional District Munsif
cum Judicial Magistrate, Manamadurai,
Sivagangai District.
- 2.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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