

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 08.03.2018****CORAM****WEB COPY****THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM****Crl.O.P. (MD) No.2602 of 2018**

1. Karumbayee
2. Ramajayam
3. Maheswari

...Petitioners/ Accused Nos. 1 to 3

-Vs-

1. State Represented by
The Inspector of Police,
District Crime Branch,
Karur.
(Cr.No.25 of 2010)

...1st Respondent/ Complainant

2. Suresh Kumar

... 2nd Respondent/ Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to quash the proceedings in C.C.No.155 of 2015 on the file of the learned Judicial Magistrate No.I, Karur on the basis of compromise memo dated 09.02.2018.

For Petitioners : Mr.S.Deenadhayalan
For Respondents : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)
for R1
Mr.Viji (for R2)

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.155 of 2015 on the file of the learned Judicial Magistrate No.I, Karur on the basis of compromise memo dated 09.02.2018.

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

3. The petitioners are accused Nos. 1 to 3 in Crime No.25 of 2010. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 403, 405, 406, 408, 409, 415, 420, 421, 422, 424, 463, 468 and 471 IPC and charge sheet also has been filed. Based on the said charge sheet



the learned Judicial Magistrate No.I, Karur has taken the case on file as C.C.No.155 of 2015 and the same is pending.

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 proceedings in C.C.No.155 of 2015 in Cr.No.25 of 2010 on the file of the learned Judicial Magistrate No.I, Karur against the accused Nos.1 to 3.

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 proceedings in C.C.No.155 of 2015 on the file of the learned Judicial Magistrate No.I, Karur, against the accused Nos.1 to 3 alone, is quashed. The Joint Compromise Memo signed by the parties shall form part of the order.

7.Accordingly, the Criminal Original petition is allowed.

Encl:Xerox copy of Compromise Memo

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I, Karur.
2. The Inspector of Police,
District Crime Branch, Karur.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

rmk

MV:SV-MMS:SAR1:19/04/2018/2P/4C

Crl.O.P. (MD) No.2602 of 2018