



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.2860 of 2018

- 1.Gopinath
- 2.S.Karthickraja
- 3.J.Martin
- 4.Arockiyaraj

... Petitioners / Accused
Nos. 1 to 4

-Vs-

1. State Represented by
The Sub Inspector of Police,
Anna Nagar Police Station,
Madurai District.
(Cr.No.2315 of 2016)

... 1stRespondent/Complainant

2. Nagaraj

... 2nd Respondent/ Defacto
Complainant

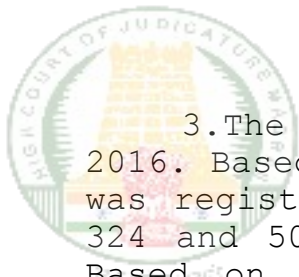
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Charge Sheet in C.C.No.266 of 2017 pertaining the F.I.R.No.2315 of 2016 on the file of the 1st respondent and quash the same.

For Petitioners	: Mr.R.Babu Jaganath
For 1 st Respondent	: Mr.Prabu Ramachandran Government Advocate (Crl.side)
For 2 nd Respondent	: Mr.S.Karthikeyan

ORDER

This Criminal Original Petition has been filed to call for the records in Charge Sheet in C.C.No.266 of 2017 pertaining the F.I.R.No.2315 of 2016 on the file of the 1st respondent and quash the same.

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



3.The petitioners are accused Nos. 1 to 4 in Crime No.2315 of 2016. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294 (b), 324 and 506 (ii) of I.P.C., and charge sheet has also been filed. Based on the said charge sheet the learned Judicial Magistrate No.VI, Madurai, has taken the case on file as C.C.No. 266 of 2017 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.266 of 2017 on the file of the learned Judicial Magistrate No.VI, Madurai against the accused Nos.1 to 4 alone.

5.The parties are 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 (CrI.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.266 of 2017 on the file of the learned Judicial Magistrate, No.VI, Madurai, against the accused Nos.1 to 4, 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 (CS-II)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To

1. The Judicial Magistrate No.VI,
<https://hcservices.ecourts.gov.in/hcservices/>
Madurai.



2. The Sub Inspector of Police,
Anna Nagar Police Station,
Madurai District.

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

+ 1 CC TO Mr.R.BABU JEGANATH, ADVOCATE IN SR No. 51878

DSS

TE/SV-MMS/SAR-4 : 15/03/2018 : 3P/5C

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