



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAMCrl.O.P.(MD) No. 3002 of 2018

G.Balamurugan

...Petitioner/Accused (single)

-Vs-

1.The State Represented by
The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
(Crime No.238 of 2016)

...Respondent/Respondent

2.G.Ramesh

...Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records pertaining to the C.C.No.460 of 2016, pending on the file of the learned Judicial Magistrate No.I, Thoothukudi, Thoothukudi District and quash the same.

For Petitioner	:Mr.R.Anand
For R1	:Mr.Prabu Ramachandran Government Advocate (Crl.side)
For R2	:Mr.P.Samuel Guna Singh

ORDER

The Criminal Original Petition has been filed to call for the entire records relating to charge sheet in C.C.No.460 of 2016, on the file of the learned Judicial Magistrate No.I, Thoothukudi, Thoothukudi 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.238 of 2016. Based on the complaint lodged by the second respondent, against the petitioner, the case was registered in Crime No.238 of 2016, on the file of the first respondent police, for the offences punishable under Sections 341, 294(b), 387 and 506(II) IPC. After filing the charge sheet, the case was taken on file in C.C.No.460 of 2016, by the learned Judicial Magistrate No.I, Thoothukudi, Thoothukudi 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.460 of 2016 on the file of the learned learned Judicial Magistrate No.I, Thoothukudi, Thoothukudi 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 (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 Charge Sheet in C.C.No.460 of 2016, on the file of the learned Judicial Magistrate No.I, Thoothukudi, Thoothukudi 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 (AD-II)

/True copy/

Sub Assistant Registrar

To

ENCLOSURE : JOINT COMPROMISE MEMO EXROX COPY

- 1.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO M/S.R.ANAND, ADVOCATE, SR NO.53263

CrI.O.P.(MD) No. 3002 of 2018
05.03.2018