



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2018

CORAM

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THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**

CrI.O.P.(MD) No.3170 of 2018

1.Manuvel Selvaraj
2.Gnanasekaran

..Petitioners/ Accused Nos. 1 & 2

-Vs-

1. State Represented by
The Inspector of Police,
Thiruppathur Town Police Station,
Sivagangai District.
(Cr.No.89 of 2010)

...1st Respondent/ Complainant

2.Kannan

... 2nd Respondent/ Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in S.T.C.No.851 of 2010 in Cr.No.89 of 2010 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur and quash the same.

For Petitioners :Mr.S.Muniyandi

For Respondents :Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (CrI.side) for R1

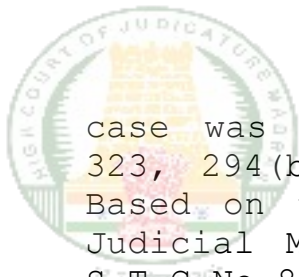
:Mr.V.Ramalingam, For R2

ORDER

The Criminal Original Petition has been filed to call for the entire records in S.T.C.No.851 of 2010 in Cr.No.89 of 2010 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur and quash the same.

2.Heard the learned counsel appearing for the petitioners, learned Government Advocate (CrI.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 & 2 in Crime No.89 of 2010. Based on the complaint lodged by the second respondent, a



case was registered for the offences punishable under Sections 323, 294(b), 506(i) IPC and charge sheet also has been filed. Based on the said charge sheet the learned District Munsif cum Judicial Magistrate, Thiruppathur has taken the case on file as S.T.C.No.851 of 2010 and the same is pending.

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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 S.T.C.No.851 of 2010 in Cr.No.89 of 2010 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur against the accused Nos.1 and 2.

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 S.T.C.No.851 of 2010 on the file of the learned District Munsif cum Judicial Magistrate, Thiruppathur, against the accused Nos.1 and 2 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.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo

To

1. The District Munsif cum
Judicial Magistrate,

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



2. The Inspector of Police,
Thiruppathur Town Police Station,
Sivagangai District.

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

+1cc to Mr.S.Muniyandi, Advocate Sr.No.53557

RMK

VB/JC/SAR2/23.03.2018/3P/5C

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