



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.3222 of 2018

1.Doughles
2.Selvam

..Petitioners/ Accused

-Vs-

1.State of Tamil Nadu
The Inspector of Police,
Muthiahpuram Police Station,
Thoothukudi District.
(Cr.No.292/2016)

... Respondent No.1/ Complainant

2.Dharmaraj

... Respondent No.2/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to admit this petition and quash the proceedings in C.C.No.469 of 2016 on the file of Judicial Magistrate Court No.II, Thoothukudi based on the Joint compromise memo filed by the petitioners and the second respondent.

For Petitioners :Mr.Antony S.Prabahar

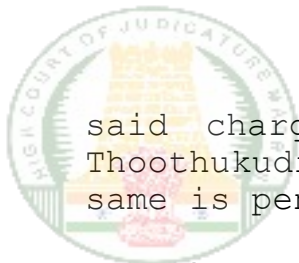
For Respondents :Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)
for R1
:Mr.S.Sivakumar
For R2

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.469 of 2016 on the file of Judicial Magistrate Court No.II, Thoothukudi based on the Joint compromise memo filed by the petitioners and the second respondent.

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 arrayed as accused in Crime No.292 of 2016. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294 (b), 506 (ii) IPC and charge sheet also has been filed. Based on the



said charge sheet the learned Judicial Magistrate Court No.II, Thoothukudi has taken the case on file as C.C.No.469 of 2016 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.469 of 2016 on the file of the learned Judicial Magistrate Court No.II, Thoothukudi against the petitioners herein.

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.469 of 2016 on the file of Judicial Magistrate Court No.II, Thoothukudi, against the petitioners herein, 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(C.O.)

/True Copy/

Sub Assistant Registrar

Herewith enclosed the copy of Joint Compromise Memo

To

1.The Judicial Magistrate Court No.II, Thoothukudi.

2. The Inspector of Police, Muthiahpuram Police Station,
Thoothukudi District.

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

Crl.O.P. (MD) No.3222 of 2018

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