



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No. 3415 of 2018

- 1.Jegan @ Billa Jegan
- 2.Simanson
- 3.Chairman
- 4.Selvam @ Mariselvam
- 5.Marimuthu
- 6.Ram @ Ramakrishnan

... Petitioners /A1 to A6

-Vs-

1. The State represented by
The Inspector of Police,
North Police Station,
Tuticorin District.
(Crime No.172 of 2016)

... 1st Respondent/Complainant

2. A.Selvakumar

... 2nd Respondent/De-facto complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the charge sheet in P.R.C.No.53 of 2017 on the file of the Judicial Magistrate No.III, Tuticorin and quash the same.

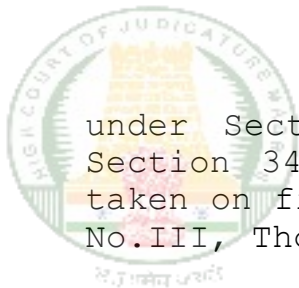
For Petitioners	: Mr.P.M.Vishnuvarthanan
For R-1	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate (Crl. Side).
For R-2	: Mr.Mohammed Hanif

O R D E R

This Criminal Original Petition has been filed to quash the charge sheet in P.R.C.No.53 of 2017 on the file of the Judicial Magistrate No.III, Tuticorin.

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

3.The petitioners are Accused Nos.1 to 6 in Cr.No.172 of 2016. Based on the complaint lodged by the second respondent, against the petitioners, the case was registered in Crime No.172 of 2016, on the file of the first respondent police, for the offences punishable



under Sections 147, 148, 294(b), 307 and 506(ii) of I.P.C. r/w Section 34 of IPC. After filing the charge sheet, the case was taken on file in P.R.C.No.53/17, by the learned Judicial Magistrate, No.III, Thoothukudi District.

4.It appears that at the advice of friends and elders, the parties have entered into a 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 case in P.R.C.No.53/17.

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 (Criminal 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 or fruitful purpose will be served by keeping this matter pending. Hence the case in P.R.C.No.53/17, pending on the file of the learned Judicial Magistrate, No.III, Thoothukudi District, is quashed in respect of these petitioners. 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

Encl.: Xerox copy of Compromise Memo

To

1. The Judicial Magistrate-III, Thoothukudi.
2. The Inspector of Police,
North Police Station,
Tuticorin District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

VS

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

TE/KKR/SAR-4 : 06/04/2018 : 2P/4C

CrI.O.P.(MD) No. 3415 of 2018

13.03.2018