



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2018

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

Crl.O.P.(MD) No.3436 of 2018

R.Rajesh Ravichandar ... Petitioner/sole Accused

-Vs-

1. The Sub-Inspector of Police,
Sawyerpuram Police Station,
Sawyerpuram,
Thoothukudi District.
(Crime No.177 of 2015)

2.S.Victor Sathiyathas ... Respondents/Complainants

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to quash the charge sheet filed by the 1st respondent police in C.C.No.189 of 2017 pending on the file of the Judicial Magistrate Court No.1, Thoothukudi.

For Petitioner : Mr.N.Pragalathan
For R-1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)
For R-2 : Mr.K.Muthurakkan for R-2

ORDER

This Criminal Original petition has been filed to quash the proceedings in C.C.No.189 of 2017 pending on the file of the Judicial Magistrate Court No.1, Thoothukudi.

2.Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl.Side) appearing for the first respondent and the learned counsel appearing for the second respondent/defacto complainant.

3.The petitioner is the sole accused in Crime No.177 of 2015 and the second respondent is the defacto complainant in the above said crime number.

4.The complaint in Crime No.177 of 2015 was registered by the police. The offence is punishable under Sections 292(2)(a) I.P.C on the file of the first respondent police. The respondent police has



investigated the matter and filed the final report before the learned Judicial Magistrate, No.I, Thoothukudi in C.C.No.189 of 2017.

5. In the mean while, it appears that at the advise of the elders and friends, the petitioners and defacto complainant have agreed to compromise the matter, out of Court. A Joint Compromise Memo, dated 01st, March 2018, is also filed to that effect. As per the Joint Compromise Memo, the de-facto complainant, has given his consent to quash the proceedings in C.C.No.189 of 2017 pending on the file of the Judicial Magistrate Court No.1, Thoothukudi.

6. The parties appeared before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memo on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Government Advocate (Crl.Side) through the respondent police.

7. Having regard to the agreement made between the parties, this Court is of the view that no useful purpose will be served by keeping these matters pending. As per the Compromise Memo signed by the parties, the de-facto complainant has agreed to quash the proceedings in C.C.No.189 of 2017 pending on the file of the Judicial Magistrate Court No.1, Thoothukudi. Accordingly, the entire proceedings in C.C.No.189 of 2017 pending on the file of the Judicial Magistrate Court No.1, Thoothukudi in respect of the petitioner is quashed and the Joint Compromise Memo signed by the parties shall form part of the order.

8. Accordingly, this Criminal Original petition is allowed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

Encl: Xerox copy of compromise Memo

1. The Judicial Magistrate No.1,
Thoothukudi.

2. The Sub-Inspector of Police,
Sawyerpuram Police Station,

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

Sawyerpuram,
Thoothukudi District.



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

+ 1 cc TO Mr.N.Pragalathan , Advocate in SR No. 53691

vs

AE/SV MMS/SAR2/27.03.2018/3P/5C

Cr1.O.P.(MD) No.3436 of 2018
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