



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2018

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

Crl.O.P.(MD) No. 377 of 2018

- 1.Mariselvam
- 2.Ramaraj
- 3.Murugesan
- 4.Murugan

...Petitioners/Accused 1 to 4

-Vs-

- 1.State Represented through
The Inspector of Police,
Pudur Police Station,
Thoothukudi District.
(Cr.No.103 of 2015)

- 2.Ajit Kumar

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the charge sheet in C.C.No.307 of 2015 on the file of the learned Judicial Magistrate, Vilathikulam and quash the same.

For Petitioners : Mr.M.Chinnathambi

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

For R2 : Mr.R.Murugan

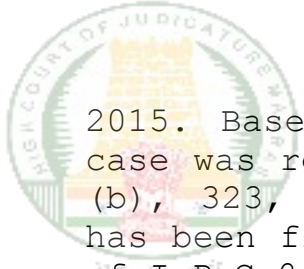
ORDER

The Criminal Original Petition has been filed to call for the records relating to the charge sheet in C.C.No.307 of 2015 on the file of the learned Judicial Magistrate, Vilathikulam and quash the same.

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.

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

3.The petitioners are accused No.1 to 4 in Crime No.103 of



2015. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 294 (b), 323, 506(ii) of I.P.C and after investigation charge sheet has been filed for the offence under Sections 294(b), 323, 506(ii) of I.P.C @ 294(b), 325, 352 and 506 (ii) of I.P.C.

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 case in C.C.No. 307 of 2015 on the file of the learned Judicial Magistrate, Vilathikulam.

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 case in C.C.No.307 of 2015 on the file of the learned Judicial Magistrate, Vilathikulam, is quashed, in respect of the petitioners herein. 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-III)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Compromise memo

To

1. The Judicial Magistrate, Vilathikulam.

<https://hcservicescourts.gov.in/services/> of Police,
Pudur Police Station,
Thoothukudi District..



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

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+ 1 cc TO Mr.M.Chinnathambi , Advocate in SR No. 43284

das

AE/SKN RSK/SAR3/28.02.2018/3P/5C

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