



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.3919 of 2018

1.Maayan

2.Pandeeswari

3.Sasikumar

4.Madhankumar @ Madhankohan ..Petitioners/ Accused Nos.1 to 4

-Vs-

1.The State Rep by
The Inspector of Police,
Usilampatti Town Police Station,
Madurai District. ... 1st Respondent / Complainant

2.Raja Prabhu ... 2nd Respondent/ Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to record the compromise between the parties based on the compromise memo dated 29.01.2018 signed by both parties and quash the entire proceedings in C.C.No.69 of 2015 on the file of the Judicial Magistrate No.1, Usilampatti.

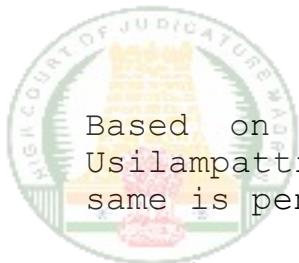
For Petitioner : Mr.B.Prahalad Ravi
For Respondents : Mr.A.P.G.Ohm Chairma Prabhu (Crl.side)
Government Advocate (for R1)
Mr.V.Palani (for R2)

ORDER

The Criminal Original Petition has been filed to quash the proceeding in C.C.No.69 of 2015 on the file of the Judicial Magistrate No.1, Usilampatti.

2.Heard the learned counsel appearing for the petitioner, learned Government Advocate (Crl.side) appearing for the first respondent and the learned counsel appearing for the second respondent.

3.The petitioner is accused Nos.1 to 4 in Crime No.321 of 2014. Based on the complaint lodged by the second respondent, a case was registered for the offence punishable under Sections 294(b), 452, 341, 324, 323 and 506(ii) IPC and charge sheet has also been filed.



Based on the said charge sheet the Judicial Magistrate No.1, Usilampatti, has taken the case on file as CC.No.69 of 2015 and the same is pending.

4. It appears that the petitioner 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.69 of 2015 on the file of the Judicial Magistrate No.1, Usilampatti., against the accused Nos.1 to 4.

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.69 of 2015 on the file of the Judicial Magistrate No.1, Usilampatti, against the accused Nos.1 to 4 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

Enclosure: Xerox Copy of Joint Compromise Memo

To

1. The Judicial Magistrate No.1,
Usilampatti.

2. The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.



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

+1cc to M/S.B.Prahalad Ravi, Advocate SR.No. 57692

+1cc to M/S.T.K.Gopalan, Advocate SR.No. 57624

Cr1.O.P.(MD) No.3919 of 2018
21.03.2018

rmk

JM/SKN RSK/SAR 2/18.04.2018/3P/6C