



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.(MD) Nos.4017 to 4019 of 2018Cr1.O.P.(MD) No.4017 of 2018

V.P.Ammavasai

... Petitioner/Accused No.1

-Vs-

1. State represented by,
The Inspector of Police,
District Crime Branch,
Theni.
(Crime No.24 of 2010)

...1st Respondent/Complainant

2.Perumal

... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the case in C.C.No.191 of 2015 on the file of the Judicial Magistrate, Theni and quash the same.

For Petitioner	: Mr.S.Lenin Prabhu
For R-1	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate
For R-2	: Mr.R.Rajeshkumar

Cr1.O.P.(MD) No.4018 of 2018

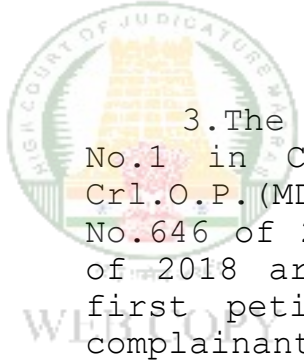
1.V.P.Ammavasai
2.A.Mithun Chakravarthi
3.A.Niruban Chakravarthi
4.A.Mathan Chakravarthi
5.P.Manimozhiyan

...Petitioners/Accused Nos.1 to 5

-Vs-

1. State represented by,
The Inspector of Police,
Palanichettipatti Police Station,
Theni.
(Crime No.646 of 2016)

...1st Respondent/Complainant



3.The petitioner in Crl.O.P.(MD)No.4017 of 2018 is the accused No.1 in Crime No.24 of 2010 and similarly the petitioners in Crl.O.P.(MD)No.4018 of 2018 are the accused Nos.1 to 5 in Crime No.646 of 2016 and similarly the petitioners in Crl.O.P.(MD)No.4019 of 2018 are the accused Nos.1 to 3 in Crime No.647 of 2016. The first petitioner in Crl.O.P(MD)No.4019 of 2018 is the de-facto complainant in Crl.O.P(MD)No.4017 of 2018 and similarly the second, third and fifth petitioners in Crl.O.P(MD)No.4018 of 2018 are the defacto complainants in Crl.O.P(MD)No.4019 of 2018.

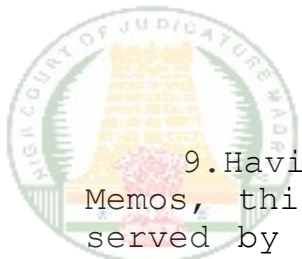
4.The petitioner in Crl.O.P.(MD) No.4017 of 2018 is the first accused in Crime No.24 of 2010. Based on the complaint lodged by the second respondent, against the petitioner, the case was registered in Crime No.24 of 2010, on the file of the first respondent police, for the offences punishable under Sections 447, 468, 471 and 420 I.P.C. After filing the charge sheet, the case was taken on file in C.C.No.191 of 2015, by the learned Judicial Magistrate, Theni.

5.The petitioners in Crl.O.P.(MD) No.4018 of 2018 are accused Nos. 1 to 5 in Crime No.646 of 2016. Based on the complaint lodged by the second respondent, against the petitioners, the case was registered in Crime No.646 of 2016, on the file of the first respondent police, for the offences punishable under Sections 147, 148, 294 (b), 324 and 307 I.P.C. After filing the charge sheet, the case was taken on file in P.R.C.No.25 of 2017, by the learned Judicial Magistrate, Theni.

6.The petitioners in Crl.O.P.(MD) No.4019 of 2018 are accused Nos.1 to 3 in Crime No.647 of 2016. Based on the complaint lodged by the respondent Nos.2 to 4, against the petitioners, the case was registered in Crime No.24 of 2010, on the file of the first respondent police, for the offences punishable under Sections 342, 324, and 307 I.P.C. After filing the charge sheet, the case was taken on file in S.C.No.17 of 2018, by the learned Chief Judicial Magistrate, Theni.

7.It appears that on the advice of friends and elders, the parties have entered into compromise and a Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, are also filed. As per the Joint Compromise Memo, the de-facto complainants, in all the petitions have agreed to quash the Charge Sheet in C.C.No.191 of 2015, P.R.C.No.25 of 2017 on the file of the learned Judicial Magistrate, Theni and in S.C.No.17 of 2018 on the file of the learned Chief Judicial Magistrate, Theni.

8.The parties have appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memos 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.



9. Having regard to the specific terms of the Joint Compromise Memos, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence the Charge Sheets in C.C.No.191 of 2015, P.R.C.No.25 of 2017 on the file of the learned Judicial Magistrate, Theni and in S.C.No.17 of 2018 on the file of the learned Chief Judicial Magistrate, Theni, are quashed in so far as the petitioners herein are concerned. The Joint Compromise Memos signed by the parties shall form part of the order.

10. Accordingly, these Criminal Original petitions are allowed.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

Enclosure: 3 Joint Compromise Memos

1). dated 09.03.2018 2). 09.03.2018 3). 12.03.2018

1. The Judicial Magistrate,
Theni

2. The Chief Judicial Magistrate,
Theni.

3. The Inspector of Police,
District Crime Branch,
Theni.

4. The Inspector of Police,
Palanichettipatti Police Station,
Theni.

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

Crl.O.P. (MD) Nos. 4017 to 4019 of 2018
14.03.2018

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JM/RSK/SAR 4/19.03.2018/4P/6C