



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMARCRL.O.P.(MD)No.4660 of 2018

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1.M.Rajesh
2.V.Balamurugan
3.J.Chitharthan
4.M.Abbaz Ali

: Petitioners / Accused Nos.1 to 4

-Vs-

1.State, represented by
The Sub Inspector of Police,
E-1, K.Pudur Police Station (L&O),
Madurai City.
(Crime No.1446/2016)

: 1st Respondent/ Complainant

2.S.Ponnuchamy
3.R.Kutty @ Balamurugan
4.R.Jothimanickam
5.R.Rajalingam

: 2 to 5 Respondents/ Defacto-
Complainants
Victims

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to quash the charge sheet in C.C.No.524 of 2016 on the file of the learned Judicial Magistrate No.VI, Madurai on the basis of Compromise Memo, dated 19.03.2018.

For Petitioners : Mr.R.Meenakshisundaram

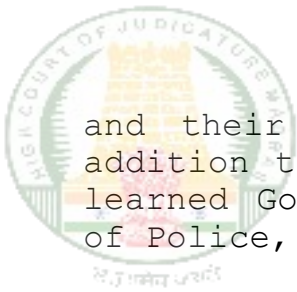
For R1 : Mr.K.Prabhu Ramachandran
Government Advocate (Crl. Side)

For R2 : Mr.M.Natarajan

ORDER

On the complaint lodged by one S.Ponnuchamy, the first respondent police has registered a case in Cr.No.1446 of 2016 and the investigation has been completed and charge sheet has been filed in C.C.No.524 of 2016 before the Judicial Magistrate No.VI, Madurai, under Sections, 294(b), 324 and 506(ii) r/w 34 of IPC against the petitioners herein, for quashing which, the petitioners and the defacto complainant are before this Court on the ground that they have arrived at a compromise.

2. Today, when the matter was taken up for hearing, Sub-Inspector of Police, E-1, K.Pudur Police Station, Madurai District is present. The defacto complainant and the petitioners are present



and their identifications were also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Sub-Inspector of Police, E-1, K.Pudur Police Station, Madurai District.

3. The petitioners and the second respondent have filed a joint compromise memo dated 19.03.2018, wherein, it is stated as follows:

"2. It is submitted that to avoid unpleasant situation, the petitioners and the defacto-complainant had amicably resolved their disputes. Further, the defacto-complainant agreed to withdraw the case as against the petitioners.

3. It is submitted that the petitioners and the defacto complainant are known to each other and belongs to same area. Further, to avoid unpleasant situation, the petitioners and the defacto-complainant, by considering the welfare of both the parties and at the intervention of well-wishers they had amicably resolved their disputes. Further, the defacto-complainant agreed to withdraw the case as against the petitioners. It is pertinent to mention that the defacto-complainant voluntarily arrived consensus for withdrawal of the said case and they have assured that no undue influence or coercion had taken place at the instance of the petitioners.

In the above circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to record the settlement arrived in C.C.No.524 of 2016, pending on the file of the learned Judicial Magistrate No.VI, Madurai and permit the petitioners to compound the case and consequently, quash the abovesaid proceedings and acquit the petitioners and thus render justice."

4. In view of the above, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, this petition is allowed and the entire proceedings in C.C.No.524 of 2016, on the file of the Judicial Magistrate No.VI, Madurai, in respect of petitioners/accused Nos.1 to 4 is quashed. The joint compromise memo dated 19.03.2018 shall form part of this order.

5. At the instance of the learned counsel for the petitioners, the petitioners themselves voluntarily came forward to contribute some amount to the Mediation and Conciliation Centre attached to this Bench.

6. Accepting the submission, the petitioners are directed to pay a sum of Rs.500/- (Rupees Five Hundred only), each to the Mediation and Conciliation Centre attached to this Bench,



under the head of Infrastructure funds, within a period of two weeks from the date of receipt of a copy of this order. After making payment, a copy of the challan shall be furnished to the Registrar (Administration), Madurai Bench of Madras High Court, Madurai.

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/True Copy/

Sd/-

Assistant Registrar (CS-I)

Sub Assistant Registrar

Enclosure : Xerox Copy of Joint Compromise Memo

To

1. The Judicial Magistrate No.VI,
Madurai.
2. The Sub Inspector of Police,
E-1, K.Pudur Police Station (L&O),
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

1. The Registrar (Admn)
Madurai Bench of Madras High Court,
Madurai
2. The Officer Incharge,
Mediation and Conciliation Centre,
Madurai Bench of Madras High Court,
Madurai.

+4CC to Mr.Meenakshi Sundaram Advocate (SR.60916)

AM

DS/KKR/SAR-1 :04.05.2018: 3P/10C

CRL.O.P.(MD) No.4660 of 2018

Dated: 11.04.2018