



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.01.2018

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P. (MD) No. 587 of 2018

1.R.R.Mathias

2.J.Jenu

3.Raju @ Sahaya Maria Raju

... Petitioners / Accused

No.1,2 & 4

-Vs-

1.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
(in Crime No.876 of 2014)

... 1st Respondent
/ Complainant

2.Ajay

... 2nd Respondent
/ De-facto complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in relation to the Charge Sheet in P.R.C.No.14 of 2016, on the file of the Principal District Munsif cum Judicial Magistrate, Eraniel, dated 30.02.2015 and to quash the same.

For Petitioners	: Mr.T.Arul
For R-1	: Mr.Prabu Ramachandran Government Advocate(Crl. side).
For R-2	: Mr.A.R.Kannappan

O R D E R

This Criminal Original Petition has been filed to quash the records relating to the Charge Sheet in P.R.C.No.14 of 2016, on the file of the Principal District Munsif cum Judicial Magistrate, Eraniel.

2.Heard the learned Counsel appearing for the petitioners, the



learned Government Advocate(Criminal side) appearing for the first respondent and the learned Counsel appearing for the second respondent.

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3.The petitioners are Accused Nos.1,2 and 4 in Cr.No.876 of 2014. Based on the complaint lodged by the second respondent, against the petitioners, the case was registered in Crime No.876 of 2014, on the file of the first respondent police, for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 307 and 506(ii) IPC. After filing the charge sheet, the case was taken on file in P.R.C.No.14 of 2016, by the Principal District Munsif cum Judicial Magistrate, Eraniel.

4.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, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed to quash the First Information Report in Cr.No.876 of 2014.

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(Criminal 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 or fruitful purpose will be served by keeping this matter pending. Hence the First Information Report in Crime No.876 of 2014, on the file of the respondent police, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.



8. Accordingly, the Criminal Original petition is allowed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

(Encl. Xerox copy of Joint Compromise Memo)

1. The Principal District Munsif
cum Judicial Magistrate,
Eraniel.
2. The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.T.ARUL, Advocate SR.No.42164.

Cr1.O.P.(MD) No. 587 of 2018
12.01.2018

gsp
SDS/MR/SAR 4/02.02.2018/3P/5C