



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

CORAM

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

Crl.O.P.(MD) No.6407 of 2014

and

M.P(MD).Nos.2 & 3 of 2014

WEB COPY

1.Visakkumar

2.Siva @ Sivarajan

..Petitioners/ Accused Nos.1 & 2

-Vs-

1. The State through

The Inspector of Police,

B6 Jaihindpuram Police Station,

Madurai District.

(FIR No.7 of 2014)

... 1st Respondent/ Complainant

2.A.Sikandhar

... 2nd Respondent/ Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records and quash the proceeding in C.C.No.64 of 2014 on the file of the Judicial Magistrate IV, Madurai.

For Petitioner : Mr.R.Maheswaran

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (for R1)
Mr.S.Ravindran (for R2)

ORDER

The Criminal Original Petition has been filed to call for the records in C.C.No.64 of 2014 on the file of the Judicial Magistrate IV, Madurai 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.

3.The petitioner is accused Nos.1 & 2 in Crime No.7 of 2014. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Section 392 of IPC and charge sheet has also been filed. Based on the said charge sheet the learned Judicial Magistrate IV, Madurai has taken the case on file as C.C.No.64 of 2014 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.64 of 2014 on the file of the learned Judicial Magistrate IV, Madurai against the first and second accused.

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.64 of 2014 on the file of the learned Judicial Magistrate IV, Madurai, against the first and second accused 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. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo

To

1. The Judicial Magistrate IV,
Madurai.
2. The Inspector of Police,
B6 Jaihindpuram Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Maheswaran, Advocate Sr.No.57360

RMK

VB/SV/MMS/SAR1/12.04.2018/2P/5C

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