



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2018

CORAM

THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**Crl.O.P.(MD) No.12554 of 2017andCrl.M.P.(MD) Nos.8638 and 8639 of 2017

Dharmar

... Petitioner/ Sole Accused

-Vs-

1. The Inspector of Police,
Muthukulaur Police Station,
Ramanathapuram District.

2. The Deputy Superintendent of Police,
Muthukulaur Division,
Ramanathapuram District.

... Respondents/ Respondents

3. Irulandi

... Respondent/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Spl.S.C.No.35 of 2017 on the file of the learned Principal District Sessions Judge, Ramanathapuram and quash the same.

For Petitioner : Mr.A.Uthaya Kumar

For R-1 and R-2 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)

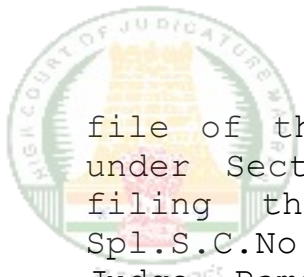
For R-3 : Mr.G.Vishnu Ram

ORDER

This Criminal Original Petition has been filed to call for the records in Spl.S.C.No.35 of 2017 on the file of the learned Principal District Sessions Judge, Ramanathapuram and quash the same.

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

3.The petitioner is the sole accused in Crime No.3 of 2014. Based on the complaint lodged by the third respondent, against the petitioner, the case was registered in Crime No.3 of 2014, on the



file of the first respondent police, for the offence punishable under Section 506(ii) IPC r/w. 3(1) (x) of SC ST Act. After filing the charge sheet, the case was taken on file in Spl.S.C.No.35 of 2017, by the learned Principal District Sessions Judge, Ramanathapuram.

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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 third respondent has agreed to quash the charge sheet in Spl.S.C.No.35 of 2017 on the file of the learned Principal District Sessions Judge, Ramanathapuram.

5.The parties have 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 charge sheet in Spl.S.C.No.35 of 2017, on the file of the learned Principal District Sessions Judge, Ramanathapuram, is quashed in *toto*. 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

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo

To

1. The Principal District Sessions Judge,
Ramanathapuram.

2. The Inspector of Police,
Muthukula Police Station,
Ramanathapuram District.

<https://hcservices.courtservice.gov.in>
3. The Deputy Superintendent of Police,
Muthukula Division,
Ramanathapuram District.



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

Copy to

The Section Officer, (2 copies)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.A.Uthaya Kumar ,Advocate Sr.No.49978

CP

VB/JC/SAR4/09/03/2018/3P/8C

CrI.O.P.(MD) No.12554 of 2017
20.02.2018