



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**Crl.O.P.(MD) No.14529 of 2017

- 1.Othakai Balu @ Balu
- 2.Thavasi
- 3.Alaguraja
- 4.Anand
- 5.Logapandi
- 6.Senthilraja

... Petitioners/ Accused Nos. 1 to 6

-Vs-

1. State represented by its
Inspector of Police,
Vadipatti Police Station,
Madurai District,
(Crime No.490 of 2015)

... 1st Respondent/Complainant

2. Kokila

... 2nd Respondent/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records of the case in P.R.C.No.30 of 2017 pending on the file of Judicial Magistrate, Vadipatti, Madurai District.

For Petitioners : Mr.P.Senguttuarasan

For 1stRespondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)For 2nd Respondent : Mr.S.Kasinathan**ORDER**

This Criminal Original Petition has been filed to quash the case in P.R.C.No.30 of 2017 pending on the file of the learned Judicial Magistrate, Vadipatti, Madurai District.

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 petitioners are accused Nos. 1 to 6 in Crime No.490 of 2015. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 364 (A), @ 147, 120(b), 364(A) of I.P.C., and after completing the investigation, the first respondent has filed a charge sheet in P.R.C.No.30 of 2017 on the file of the learned Judicial Magistrate, Vadipatti, Madurai District, and the same is pending.

4.It appears that the petitioners 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 P.R.C.No.30 of 2017 on the file of the learned Judicial Magistrate, Vadipatti, Madurai District against the petitioners/accused .

5.The parties are 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 P.R.C.No.30 of 2017 on the file of the learned Judicial Magistrate, Vadipatti, Madurai District., in respect of petitioners/accused, is quashed. The Joint Compromise Memo signed by the parties shall form part of the order.

7.Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

Encl: Xerox copy of Joint Compromise Memo
To

1. The Inspector of Police,
Madurai Police Station,
Madurai District,



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

+1cc to Mr.P.Senguttuarasan, Advocate Sr.No.52078

DSS

VB/JC/SAR4/20.03.2018/3P/4C

Cr1.O.P. (MD) No.14529 of 2017
27.02.2018