



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL OP (MD) No.15508 of 2017

and

CRL.M.P (MD) Nos.10325 and 10326 of 2017

Sugumaran ... Petitioner/Accused No.1

Vs.

1.The State,
Rep. by the Inspector of Police,
Naththam Police Station,
Dindigul District.

... Respondent /Complainant

2.Sivashanmugam ... Respondents/ De-facto
Complainants

3.Gandhiraja

4. Veerapandi ...Injured persons

(Respondents 3 and 4 suo motu impleaded as parties
by this court dated 16.03.2018)

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying this Court to call for the records in Charge Sheet in Special Sessions Case No.130 of 2017, on the file of the Principal Sessions Judge, Dindigul and to quash the same against the petitioner.

For Petitioner	: M/s.N.Rahamadullah
For Respondent-1	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate(Crl.Side)
For Respondents-2 to 4	: M/s.K.Gokul

O R D E R

This Criminal Original petition is filed for quashing the criminal proceedings in Special S.C.No.130 of 2017, on the file of the learned Principal Sessions Judge, Dindigul.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the first respondent and the learned counsel appearing for the respondents 2 to 4.



3.The petitioner is the accused No.1. So far as the accused Nos.2 to 4 are concerned, the case against them was split up and a separate trial was conducted in S.C.No.36 of 2017 and they were acquitted by the learned Principal Sessions Judge, Dindigul on 20.04.2017. Insofar as the accused No.1 is concerned, the case has been taken on file by the Principal Sessions Judge, Dindigul in Special S.C.No.130 of 2017, for the offences under Section 342, 324, 307 of IPC and Section 3(1)(X) of SC/ST(POA) Act, 1989.

4.Originally, the accused No.1 and the second respondent/defacto complainant have filed a joint compromise memo dated 07.11.2017. In the chargesheet, it is stated that two witnesses namely Mr.Gandhiraja and Mr.Veerapandi have sustained injuries and hence they are impleaded as respondent Nos.3 and 4 suo motu. Thereafter, they also filed a memo of compromise on 16.03.2018.

5. A perusal of the said compromise memos shows that the parties, namely, the petitioner (Accused No.1) and the respondents 2 to 4(De-facto complainant and injured persons) have settled their dispute amicably out of Court, on the advise of the family members and elders. As per the Joint Compromise memos, the de-facto complainant and the injured persons have agreed to quash the criminal proceedings in Special S.C.No.130 of 2017, on the file of the learned Principal Sessions Judge, Dindigul.

6.The parties, namely, the petitioner (Accused No.1) and the respondent Nos.2 to 4 appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memos on their free will and own 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.

7.Having regard to the specific terms of the Joint Compromise Memos, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence, on the basis of the Joint Compromise Memos signed by the parties, the Criminal Original petition is allowed and the criminal proceedings in Special S.C.No.130 of 2017, on the file of the learned Principal Sessions Judge, Dindigul, is quashed in insofar as the Petitioner/ Accused No.1 is concerned. The Joint Compromise Memos dated 07.11.2017 and 16.03.2018 signed by the parties shall form part and parcel of the order. Consequently, connected Miscellaneous Petitions are closed.



/True copy/

Sub Assistant Registrar

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To

- 1.The Principal Sessions Judge,
Dindigul.
2. The Inspector of Police,
Naththam Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.K.Gokul, Advocate, SR.No.56351.

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