



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2018

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THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.13301 of 2017
and
CRL MP(MD)Nos.8993 & 8994 of 2017

1.Raman
2.Shanmugasundari

... Petitioners/ Accused
Nos. 1 & 2

-Vs-

1.State represent through the
Inspector of Police,
All Women Police Station (A.W.P.S)
Tirunelveli,
Tirunelveli District.
(Crime No.9 of 2017)

... 1st Respondent/Complainant

2.Murugeshwari

... 2nd Respondent/ Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records pertaining to the Charge-Sheet filed in C.C.No.374 of 2017 on the file of the learned Judicial Magistrate Court No-III, Tirunelveli and quash the same as illegal.

For Petitioners : Mr.R.Karunanidhi

For 1stRespondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)

For 2nd Respondent : Mr.M.Subash BabuORDER

This Criminal Original Petition has been filed to call for records pertaining to the Charge-Sheet filed in C.C.No.374 of 2017 on the file of the learned Judicial Magistrate Court No-III, Tirunelveli and quash the same as illegal.



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.

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3. The petitioners are accused Nos. 1 and 2 in Crime No.9 of 2017. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 148 (A), 406 and 506 (1) of I.P.C., and charge sheet has also been filed. Based on the said charge sheet the learned Judicial Magistrate Court No-III, Tirunelveli, has taken the case on file as C.C.No.374 of 2017 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 C.C.No.374 of 2017 on the learned Judicial Magistrate Court No-III, Tirunelveli against the accused Nos.1 & 2 alone.

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 C.C.No.374 of 2017 on the learned Judicial Magistrate Court No-III, Tirunelveli against the accused Nos.1 & 2 alone, 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(RTI)

/True Copy/

Sub-Assistant Registrar



(*) COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH

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To

- 1.The Inspector of Police,
All Women Police Station (A.W.P.S)
Tirunelveli,
Tirunelveli District.

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

Copy to:-

The Judicial Magistrate No.III,
Tirunelveli

dss
RL/4C/3P/SV/MMS/SAR2/15/3/2018

Cr1.O.P.(MD) No.13301 of 2018
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