



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2018

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

Crl.O.P.(MD) No.654 of 2018

- 1.P.Thillai Ambalam
- 2.Kallu Murugan
- 3.Lion
- 4.Loganathan
- 5.Velmurugan

..Petitioners / Accused Nos. 1 and 3 to 6

-Vs-

1. State Represented by
The Inspector of Police,
Oomatchikulam Police Station,
Madurai District.
(Cr.No.660 of 2012) ... Respondent/Complainant

- 2.Jeyapal ... Respondent/ Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the charge sheet in C.C.No.256 of 2016 on the file of the learned Judicial Magistrate No.V, Madurai and quash the same so far as the petitioners /Accused No.1 and 3 to 6 are concerned.

For Petitioners : Mr.K.A.S.Prabhu

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

This Criminal Original Petition has been filed to call for the entire records in C.C.No.256 of 2016 on the file of the learned Judicial Magistrate No.V, Madurai and quash the same.

<https://hcservices.courtsgov.in/hcservices/>
2. Per 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 and 3 to 6 in Crime No.660 of 2012. Based on the complaint lodged by the second respondent, a case was registered for the offences punishable under Sections 147, 148, 294 (b), 323, 324, 336 and 506 (ii) of I.P.C., and charge sheet has also been filed. Based on the said charge sheet the learned Judicial Magistrate No.V, Madurai, has taken the case on file as C.C.No.256 of 2016 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.256 of 2016 on the file of the learned Judicial Magistrate No.V, Madurai against the accused Nos.1 & 3 to 6 alone.

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 proceedings in C.C.No.256 of 2016 on the file of the learned Judicial Magistrate, No.V, Madurai, against the accused Nos.1 and 3 to 6 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.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar



To

Encl: Xerox copy of Compromise memo

1. The Judicial Magistrate No.V, Madurai.

2. The Chief Judicial Magistrate, Madurai.

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3. The Inspector of Police,
Oomatchikulam Police Station,
Madurai District.

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

+ 1 cc TO Mr.K.A.S.Prabhu , Advocate in SR No. 45404

das/smi

AE/SV/SAR1/09.02.2018/3P/6C

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