



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.10.2019**

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.22184 of 2018

and

Crl.M.P. (MD)Nos.10325 and 10326 of 2018

1.R.Arasu
2.A.Rajeswari ... Petitioners / Accused Nos.1 & 2

Vs.

1.State rep. by
The Inspector of Police,
District Crime Branch,
Ramanathapuram. ... 1st Respondent/Complainant

2.S.Muthuramalingam ... 2nd Respondent/Defacto Complainant

3.N.Govindaramu ... 3rd Respondent/3rd Accused

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in C.C.No.141 of 2015 on the file of the Judicial Magistrate Court No.II, Ramanathapuram and quash the same as illegal.

For Petitioners : Mr.G.Murugendran
For R1 : Mr.K.Suyambulingabharathi
Government Advocate (Crl.side)

O R D E R

This petition has been filed to quash the proceedings in C.C.No.141 of 2015 on the file of the Judicial Magistrate Court No.II, Ramanathapuram as against the petitioners.

2. This Court, on the compromise arrived at between the parties, quashed the entire proceedings by order dated 11.12.2017 in Crl.O.P(MD)No.9133 of 2016 and quashed the C.C.No.141 of 2015 only in respect of A3 and A4. It is seen that the compromise was entered between the accused persons A1 to A4 with the defacto complainant.

3. The relevant portion of the Joint Memorandum of Compromise reads as follows:

1.The petitioner filed above case for call for the records in C.C.no.141 of 2015 under Section 406, 420 of IPC on the file of Judicial Magistrate Court No.2, Ramanathapuram, and quash the same as illegal and abuse process of law and render justice.



2. Pending quash petition the parties to this compromise memo and the above case have resolved their dispute and in view of the settlement arrived at, the petitioner and Defacto Complainant/1st Respondent and 3rd and 4th Respondents have entered into compromise and the terms of the said compromise as follows;

a) The De facto Complainant / 1st respondent is not willing to further proceedings of the case in C.C.141 of 2015 u/s.406, 420 of IPC on the file of Judicial Magistrate Court No.II, Ramanathapuram.

b) The De facto Complainant is willing to settle the claim made by the petitioner.

c) The Petitioner and Defacto Complainant are willing to exchange the documents and settled the issue themselves.

d) The Defacto complainant has no objection to quash the C.C.No.141 of 2015 on the file of Judicial Magistrate Court No.II, Ramanathapuram.

e) The parties to this Memo of Compromise have appended their signatures without duress, coercion and undue influences.

The parties to the above case pray that quash the C.C.No.141 of 2015 on the file of Judicial Magistrate Court No.II, Ramanathapuram may be passed in terms of this Memo of Compromise in Crl.O.P(MD)No.9133 of 2016.''

4. Considering the facts and circumstances of the case, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

vsd

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To

1.The Judicial Magistrate Court No.II,
Ramanathapuram.

2.The Inspector of Police,
District Crime Branch,
Ramanathapuram.

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

Crl.O.P. (MD) No.22184 of 2018

and

Crl.M.P. (MD) Nos.10325 and 10326 of 2018

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