



Crl.O.P.(MD).No.3471 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.3471 of 2017

and

Crl.M.P(MD)No.2603 of 2017

1.Ramasamy
2.R.Anandhakrishnan
3.M.V.Antony Alphonse
4.R.Sivakumar
5.S.K.Arun

... Petitioners/Accused

Vs.

M.Kathiresan

... Respondent/
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records in C.C.No.6 of 2017 on the file of the learned Judicial Magistrate No.I, Madurai and quash the same.

For Petitioners : Mr.P.Andiraj
For Respondent : Mr.R.Ramasamy



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ORDER

This petition has been filed praying to quash the charge sheet in C.C.No.6 of 2017 on the file of the learned Judicial Magistrate No.I, Madurai.

2.Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondent.

3.The petitioners are the accused for the alleged offence punishable under Section 420 of I.P.C., and on the basis of the complaint given by the respondent/de-facto complainant, case has been registered against them.

4.When the matter is taken up for hearing today, the learned counsel for the petitioners and the learned counsel for the respondent submitted that both the parties have filed a compromise memo stating that the matter in issue between them has been amicably resolved. A Joint Compromise Memo, signed by the parties, in the presence of their respective counsels, is also



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produced before this Court. As per the Joint Compromise Memo, the respondent/de-facto complainant has no objection for quashing the entire proceedings in C.C.No.6 of 2017 on the file of the learned Judicial Magistrate No.I, Madurai. The said compromise memo reads as follows:

“Both the petitioners/Accused and complaint had arrived a compromise between them due to the steps taken by friends, complainant accepted to compromise the issue. Now, the petitioner cleared the payment to the complainant of Rs.10,00,000/-. The complainant accepted the same and fully satisfied and no objection to allow the petition. Therefore, the petition filed by the petitioner in C.C.No.6 of 2017 shall be allowed by this Court and the respondent/complainant expressing the fullest acceptance for the compromise and subsequent allow the petition. Therefore, the joint compromise memo filed by the complaint along with their advocates and filing this before this Court and thus render justice.”

5.Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful



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purpose will be served by keeping this matter pending. Hence, the proceedings in C.C.No.6 of 2017 on the file of the learned Judicial Magistrate No.I, Madurai, is quashed. The Joint Compromise Memo signed by the parties shall form part of this order.

6.Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is also closed.

11.01.2023

NCC :Yes/No
Index :Yes / No
Internet :Yes / No
Ns

To

1.The Judicial Magistrate No.I,
Madurai.



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SUNDER MOHAN, J.

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