



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.04.2015
CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

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CRL.OP. (MD) No.8788 of 2015

1.Narayanan
2.Mokkan @ Maharaja
3.Kumar
4.Vasanth

... Petitioners/Accused Nos.1 to 4

Vs.

1.The State through
The Sub-Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.

... Respondent 1/Complainant

2.Ariyal

... Respondent 2/De-facto Complainant

Prayer: Petition filed under Section 482 of Criminal Procedure Code praying to call for the records connected with the crime No.107 of 2015 on the file of the respondent police and quash the same as illegal in so far as the petitioners are concerned.

For Petitioners ... Mr.R.Alagumani

For R-1 ... Mr.K.Anbarasan,
Govt. Advocate(Crl. Side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No.107 of 2015 on the file of the respondent police.

2. The petitioners have been arrayed as accused in Crime No.107 of 2015 on the file of the first respondent police for the alleged commission of offences under Sections 438, 294(b), 323, 324 of I.P.C and Section 4 of TNPWH Act.

3. When the matter is taken up for hearing, the parties namely, the petitioners and the defacto complainant are present before this Court. Both parties submitted that the matter has been settled. A joint compromise memo has been filed, which contains the signature of the petitioners and the second respondent. The same was attested by the learned counsel on both sides.

4. Heard both sides and also perused the compromise memo. The appearance of the parties is recorded.

5. In the compromise memo, it has been stated as follows:

<https://hcservices.ecourts.gov.in/hcservices/>

"3.It is submitted that on 26.03.2015, the respondent police have registered the FIR on the basis of the statement



recorded by the police in the hospital from the second respondent. According to the prosecution the case against the petitioners is that on 26.03.2015 at around 02.00 p.m., when the Respondent No.2 was standing in front of her house, three persons came and attacked her on her back and the petitioners herein twisted her hand apart from attacking her with a stick on her hands. Thereafter, the 2nd respondent was admitted to the Tiruchendur Government Hospital where statement is said to have been recorded from second respondent and reduced to the F.I.R impugned herein.

4.It is submitted that the petitioners are innocent, a false case had come to be registered against them. Though the case is false, now the petitioners and the second respondent herein have decided to settle their entire dispute amicably and they have reached compromise. In view of the compromise made between the parties the second respondent does not want to proceed with the case against the petitioners and therefore the petitioners have preferred this quash petition on the grounds set out therein. To that effect this compromise memo is filed herewith."

6.Considering the submissions made and after going through the relevant documents and after looking at the nature of offences alleged against the petitioners, this Court is inclined to quash the proceedings pending against the petitioners.

7.Accordingly, this Criminal Original Petition is allowed and the proceedings in Crime No.107 of 2015 on the file of the first respondent, is quashed. The compromise memo shall form part of record.

Sd/-

Assistant Registrar(RTI)

\\True copy\\

Sub Assistant Registrar

To

1.The Sub-Inspector of Police,Tiruchendur Police Station,

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

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pm

NA/PPS/16/06/2015/P2/3C