



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.02.2016

CORAM

THE HON'BLE MR.JUSTICE V.S.RAVI

Crl.O.P. (MD) No.3595 of 2016

1. S.Ramakrishnan
2. R.Duraimurugan
3. R.Sundari

... Petitioners/A1 to 3

-vs-

1. State Represented by
The Inspector of Police,
Paralachi Police Station,
Virudhunagar District.
(Crime No.4/2016)

... 1st Respondent/Complainant

2. N.Sangeethkumar

... 2nd Respondent/Defacto Complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to quash the First Information Report in Crime No.4/2016 on the file of the 1st respondent.

For Petitioners	:	Mr.R.Sureshkumar
For R1	:	Mr.P.Kandasamy Government Advocate (Crl. side)
For R2	:	Mr.R.Pandimaharaja

O R D E R

This petition has been filed seeking to quash the case registered in Crime No.4 of 2016 on the file of the 1st respondent police, pursuant to the amicable settlement effected between the parties.

2. It is seen that a case in Crime No.4 of 2016 for the alleged offences under Sections 294(b), 323, 324 and 506(ii) IPC, has been registered against the petitioners.

3. When the matter is taken up for hearing, the petitioners/Accused and the second respondent, appeared in person and their identifications have been also verified by this Court, in addition to the confirmation of the identity of the parties by the Government Advocate (Crl. Side) through the respondent Police. Learned counsel appearing for the parties also endorsed the identity of their respective parties.

4. The counsel appearing on either side filed a joint memo of compromise dated 12.02.2016, duly stating that since the parties have arrived at an amicable settlement by way of compromise among themselves, the second respondent has agreed to withdraw the above case in Crime No.4 of 2016 pending on the file of the first respondent.

The joint memo of compromise reads as follows:

"It is submitted that the petitioners are arrayed as accused for the alleged offence under sections 294(b), 323, 324 and 506 (ii) of IPC and the case was registered in Crime No.4 /2016 based on the complaint given by the 2nd respondent.

It is further submitted that subsequent to the registration



of the aforesaid case, the matter was negotiated between the petitioners and the de-facto complainant with the presence and the guidance of the elders of the village. Further, the petitioners and the de-facto complainant have accepted and the de-facto complainant has further agreed that he is ready to inform the same before any court of law in the interest of justice. In that manner the matter between the parties entered into compromise without any compulsion. Further the accused and the de-facto complainant belong to the same village. Therefore, the matter was negotiated and amicably compromised among them by considering the further relationship of both families. Hence, the further process of this case would not serve any useful purpose in future and at the same time it would deteriorate the cordial family relationship between the de-facto complainant and the accused.

Hence, both the petitioners and de-facto complainant have filed the instant joint memo regarding the compromise made between them in First Information Report in Crime No.4/2016 on the file of the 1st respondent.

Dated at Madurai this is the 12th day of February 2016."

6. Considering the nature of allegations and the parties have entered into compromise without any compulsion and hence, the de-facto complainant has requested this Court to quash the case in Crime No.4/2016 and in view of joint memo of compromise dated 12.02.2016, this Court is of the opinion that no useful purpose would be served in keeping the matters pending. Therefore, the entire proceedings in Crime No.4 of 2016 on the file of the first respondent in respect of the petitioners/accused alone, are hereby quashed.

Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties in the light of the joint compromise dated 12.02.2016. The joint compromise memo dated 12.02.2016 shall form part of this order.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To:

1. The Inspector of Police,
Paralachi Police Station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.R.Pandimaharaja, Advocate Sr.No.11922

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