

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.1317 of 2017
and Crl.M.P.No.1394 of 2017

R.Mathavaselvam

...Petitioner

-VS-

1. State rep by
The Inspector of Police,
Vadavalli Police Station,
Vadavalli, Coimbatore District

2. U.Gokulakrishnan
S/o.E.Ulaganathan
No.26, Arunodhayam Flats,
2nd Main Road, Madipakkam,
Chennai

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to quash the F.I.R dated 05.08.2011 in Crime No.1201 of 2011 registered against the petitioner herein under Sections 147, 148, 364, 324, 307, 384 I.P.C and 3(1) (x) SC/ST (POA) Act, 1955.

For Petitioner : Mr.S.Saravanan

ORDER

When this Criminal Original Petition was taken up, the learned counsel for the petitioner has filed the Joint Compromise Memo dated 25.01.2017 duly signed by the petitioner, second respondent and the learned counsel for the petitioner, in which, it has been stated as under:-

"The petitioner and the 2nd respondent herein beg to submit as follows:

1. The petitioner states that he had filed this Crl.O.P.No.1317 of 2017 before the Hon'ble Court to quash the First Information Report dated 05.08.2011 in Crime No.1201 of 2011 registered against the petitioner herein under Sections 147, 148, 364, 324, 307, 384 I.P.C and 3(1) (x) SC/ST (POA) Act, 1955 by the first respondent herein.

2. The petitioner states that he is the B.L.Graduate, while he studying in Law College in the year 2011, the 2nd respondent herein had lodged a complaint against this petitioner along with other accused on 05.08.2011 at about 5.00p.m.

3. The petitioner and the 2nd respondent submit that they have decided to keep harmony between them to enable them to live with peace. Hence, they mutually agreed to enter into this compromise memo. They have no grudge against each other and the 2nd respondent / defacto complainant hereby agreed that he has no objection if the impugned FIR is quashed.

4. The petitioner and the 2nd respondent submit that they hereby undertake that they shall not indulge in any litigation against each other in future.

Further the 2nd respondent undertakes and agreed that in view of the compromise arrived between the petitioner and 2nd respondent and hence he has not intended to proceed with the criminal case as against this petitioner alone."

3. Both the parties (i.e) the petitioner and the second respondent are present and they accepted the contents in the Joint Memo of compromise as true.

4. As the petitioner is a budding lawyer and also taking note of the fact that the incident had taken place in the year 2011, this Court is inclined to consider the joint memo of compromise filed by the petitioner and the second respondent.

5. The Joint Memo of Compromise is recorded and the same shall form part of this order. In view of the Joint Memo of Compromise, the F.I.R dated 05.08.2011 in Crime No.1201 of 2011 registered against the petitioner is quashed. Accordingly, the Criminal Original Petition is disposed of in terms of the Joint Memo of Compromise. Connected miscellaneous petition is closed.

10.02.2017

srn

R.MAHADEVAN.J

srn

To

The Inspector of Police
Vadavalli Police Station,
Vadavalli,
Coimbatore.

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