



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE **P.N. PRAKASH**

Cr1.O.P(MD)No.10732 of 2014

1.Nijamuhaideen (38/14) .. Petitioner
Vs.
1.State rep. by TheInspector of Police,
Sethubavachathram Police Station
Thanjavur .. 1st Respondent/Complainant
2.I.Mohamde Shalih .. 2nd Respondent/Defacto
complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to quash the first information report in Crime No.56 of 2014 on the file of the Respondent No.1 Police Station.

For Petitioner :Mr.S.M.A.Jinnah
For R1 :Mr.A.P.Balasubramani
Government Advocate (Cr1.side)
For R2 :Mr.M.Kaushik

O R D E R

This petition has been filed seeking to quash the case in Crime No.56 of 2014 on the file of the respondent police pursuant to the amicable settlement effected between the parties.

2. On the complaint lodged by the 2nd respondent, the respondent police registered a case in Crime No.56 of 2014 for offences under Sections 294(b), 323, 355 and 506(i) of the Indian Penal Code, challenging which, the accused and the *defacto* complainant are before this Court for quashing the case against the petitioner on the ground that he has arrived at a compromise.

3. Today, when the matter is taken up for hearing, Mr.R.Kamaraj, Special Inspector of Police, Sethubavachathiram Police Station, appeared in person on behalf of the second respondent. The *defacto* complainant-I.Mohamed Shalih is present and the accused is also present and his identification was also verified by this Court, in addition to the confirmation of the identity of the parties by the learned Government Advocate (Criminal side) through Mr.R.Kamaraj, Special Inspector of Police, Sethubavachathiram Police Station.

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

4. The petitioner and the second respondent have filed a joint



compromise memo dated 13.03.2017, in which, it has been stated as follows:

"3.It is submitted that since the petitioner and the de-facto complainant are relatives and they settled their dispute amicably due to this the respondent No.2 do not willing to prosecute the instant ase against the petitioner and he decided to withdraw his complaint and therefore hereby the petitioner as well as the de-facto complainant file this Joint Compromise Memo before this Hon'ble High Court."

5. In view of the joint memo of compromise dated 13.03.2017, this Court is of the opinion that no useful purpose would be served in keeping the matter pending. Therefore, the entire proceedings in Crime No.56 of 2014 on the file of the respondent police, in respect of the petitioner/accused alone, are hereby quashed.

6. Accordingly, this Criminal Original Petition is allowed on the basis of the compromise entered into between the parties. The joint compromise memo dated 13.03.2017 shall form part of this order.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Sethubavachathram Police Station,
Thanjavur.

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

RR

JS/MR/28.03.2017/2P-3C

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