



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2017

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

CRL. O.P.(MD)No.21571 of 2015
and M.P.(MD)No.1 of 2015
CRL. M.P(MD)No.6108 of 2017

1.P.S.Ganesan
2.G.Backyalakshmi
3.G.Karthikeyan
4.G.Archana
5.G.Ramkumar

... Petitioners / Accused Nos.1 to 5

Vs.

1.State represented by the Inspector of Police,
Central Crime Branch,
Madurai District,
Crime No.24 / 2015.

...Respondent No.1/ Complainant

2.M.P.Muruganandam

...Respondent No.2/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to pass an order to call for the First Information Report in Crime No.24 of 2015 on the file of the Inspector of Police, Central Crime Branch, Madurai, and quash the same.

For Petitioners	: Mr.P.Senguttuarasan
For R-1	: Mr.K.Anbarasan, Government Advocate(Crl. Side).
For R-2	: Mr.S.Natesh Raaja

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.24 of 2015 on the file of the Inspector of Police, Central Crime Branch, Madurai.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the first respondent and the learned counsel appearing for the third respondent.

<https://hcservices.courts.gov.in/hcservices/> basis of the complaint given by the second respondent, a case was registered by the first respondent in Crime No.24 of 2015 for the offences punishable under Sections 406 and 420 of I.P.C., against the petitioners/accused Nos.1 to 5.



4. The dispute appears to be due to the some financial dealings. After filing of this petition, it is represented that the petitioners and the defacto complainant have entered into a compromise. It is represented that the first accused, namely, the first petitioner is no more and hence he is not a party in the Joint Compromise Memo signed by the parties and produced before this Court.

5. This Court is able to see that the parties have settled their dispute amicably out of Court. It is represented that the parties have agreed to pay certain amounts as a consideration for the Compromise Memo. The learned counsel for the petitioners as well as the contesting respondents agreed with the amounts that were referred in the Compromise memo which has also been paid and the whole issue regarding the payment also is settled. In such circumstances, the parties have also stated that the defacto complainant has no objection for quashing the criminal proceedings.

6. Today when the matter is taken up, the petitioners and the defacto complainant appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Government Advocate (Criminal side) through the first respondent police.

7. Having regard to the facts and circumstances of the case and the specific terms of the Joint Compromise Memo filed before this Court, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, the Criminal Original petition is allowed and the First Information Report in Crime No.24 of 2015 is quashed in toto and the Joint Compromise Memo signed by the parties shall form part of the order. Consequently, connected Miscellaneous petitions are closed.

Sd/-
Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

(*) COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH

To

- 1.The Inspector of Police, Central Crime Branch, Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

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

RL/3C/2P/KP/SAR2/17/8/2017

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