



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.08.2017

CORAM

THE HONOURABLE MR. JUSTICE S. S. SUNDAR

Crl.O.P. (MD) No.10169 of 2017

WEB COPY

1.Vetriventhana
2.Jaini
3.Udhayakumar
4.Gopinath
5.Karthick
6.Saravanan
7.Muthulakshmi

... Petitioners/ Accused Nos.1 to 7.

-Vs-

1.State represented by
The Inspector of Police,
Eriyodu Police Station,
Dindigul District.
(Crime No.261 of 2014) ...Respondent/Complainant

2.Subbiah ...Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records of FIR in Crime No.261 of 2014 on the file of the first respondent and to quash the same as illegal.

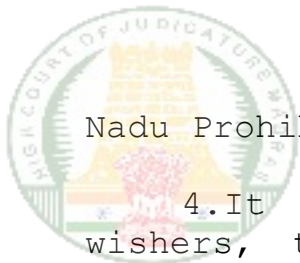
For Petitioner :Ms.S.Sathya Chidambaram
For R1 :Mr.K.Anbarasan
Government Advocate (Crl.Side)
For R2 :Mr.B.Santhanam Rajesh Kumar

ORDER

The Criminal Original Petition has been filed to quash the FIR in Crime No.261 of 2014 on the file of the first respondent.

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 second respondent.

3.On the basis of complaint given by the second respondent, against petitioners, a case was registered in Crime No.261 of 2014 on the file of the first respondent for the offences punishable under Sections 147, 148, 294(b), 427, 307 IPC r/w 3(1) 4 of Tamil



Nadu Prohibition Charging Exorbitant Interest Act, 2003.

4. It appears that at the advise of the elders and well wishers, the petitioners and second respondent have agreed to compromise the matter out of Court. A Joint Compromise Memo, dated 27.07.2017, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, second respondent has given his consent to quash the FIR in Crime No.261 of 2014 in favour of the petitioners.

5. The parties appeared before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memo on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Government Advocate (Criminal side) through the first respondent police.

6. Having regard to the agreement made between the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. As per the Compromise Memo signed by the parties, the de-facto complainant, namely, the second respondent has agreed to quash the proceedings against all the accused. Hence the First Information Report in Crime No.261 of 2014 on the file of the first respondent Police, Eriyodu Police Station, Dindigul District, is quashed in toto and the Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

Encl:- The Compromise Memo signed by the parties shall form part of the order.

To
The Inspector of Police,
Eriyodu Police Station,
Dindigul District.

GSP/CMR
KK/SV MMS/SAR2/29.08.2017/ 2P- 2C

Cr1.O.P. (MD) No.10169 of 2017
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