



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.08.2017
CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.10209 of 2017

1.Palpandi
2.Karthik
3.Guruprasath
4.Sreenivasan

... Petitioners/ Accused Nos.1 to 4

-Vs-

State represented through
1.The Inspector of Police,
Saptur Police Station,
Madurai District.

...1st Respondent/Complainant

2.K.Pandiyan

...2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records relating to the First Information Report in Crime No.99 of 2014 on the file of the first respondent police and quash the same.

For Petitioners : Mr.J.William Christopher

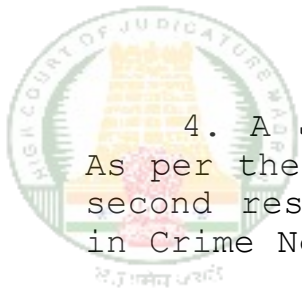
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.side).

O R D E R

This Criminal Original petition is filed to call for records relating to the First Information Report in Crime No.99 of 2014 on the file of the first respondent police and quash the same.

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

3. On the basis of the complaint given by the second respondent, against the petitioners, a case was registered in Crime No.99 of 2014 on the file of the first respondent police for the offences under Sections 294(b), 323, 307 of Indian Penal Code. It appears that at the instance of the elders and well wishers, the petitioners and second respondent have agreed to compromise the matter out of Court.



4. A Joint Compromise Memo, dated 17.07.2017, is also filed. As per the Joint Compromise Memo, the defacto complainant, namely, second respondent has given his consent to quash the proceedings in Crime No.99 of 2014 in favour of the petitioners.

5. The Joint Compromise memo was signed by the parties as well as their respective counsel appearing for the parties. The petitioner and the second respondent appeared before this Court today 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 specific terms of the compromise memo, dated 17.07.2017, 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 defacto complainant, namely, the second respondent has agreed to quash the proceedings against the accused Nos.1 to 4 herein. Hence, the criminal proceedings culminating in Crime No.99 of 2014 on the file of the first respondent Police, Saptur Police Station, Madurai 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(CO)

/True copy/

Sub Assistant Registrar

To

Encl:Xerox copy of Compromise memo

1.The Inspector of Police,
Saptur Police Station,
Madurai District.

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

+1 cc to Mr.J.William Christopher , Advocate in SR.No. 73691
msa/mm
AE/KK/SAR4/30.08.2017/2P/4C