



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP(MD)No.10218 of 2017

Madasamy ... Petitioner/Sole Accused

Vs.

1. The State rep. by,
The Sub Inspector of Police,
Ottapidaram Police Station,
Thoothukudi District.
(Crime No.70 of 2017) ... 1st Respondent/Complainant
2. Minor. Arivalagan
(Minor Arivalagan represented
through his father/natural
Guardian Rajamani) ... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the First Information Report in Crime No.70 of 2017, dated 27.05.2017, under Sections 294(b), 323 and 506(i) of I.P.C., on the file of the first respondent and to quash the same as illegal.

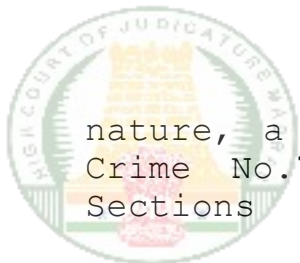
For Petitioners : Mr.M.Maran
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).
For R-2 : Mr.R.Raja

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.70 of 2017, dated 27.05.2017, registered for offences under Sections 294(b), 323 and 506(i) of I.P.C., 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. Based on the complaint lodged by the second respondent to complainant against the petitioner/sole accused, though it is stated that a dispute is purely civil in



nature, a case was registered by the first respondent police in Crime No.70 of 2017, dated 27.05.2017 for the offence under Sections 294(b), 323, 506(i) of I.P.C.

4. Since the parties are close relatives and the defacto complainant is the petitioner's son, the parties have settled their dispute amicably out of Court, on the advise of the family members and elders. The parties also have entered into a compromise. The Joint Compromise Memo, dated 25.07.2017, signed by the petitioner and the defacto complainant along with their counsels is produced before this Court. As per the Joint Compromise Memo, the defacto complainant also prayed to record the Joint Compromise Memo and to quash the First Information Report in Crime No.70 of 2017.

5. The parties appeared today before this Court and expressed in unequivocal terms that they have signed in 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.

6. Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the First Information Report in Crime No.70 of 2017, dated 27.05.2017, on the file of the first respondent police, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar.

Herewith attached xerox copy of Joint Compromise Memo

To

1. The Sub Inspector of Police, Ottapidaram Police Station,
Thoothukudi District.

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

+1CC to Mr.M.Maran, Advocate, SR.No.70791

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