

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 09.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD)No.10462 of 2017

1.G.Mayakannan

2.T.Alagarsamy

3.T.P.Gunasekaran

4.G.Mariyammal

5.J.Meenambigai

...PetitionersAccused No.1 to 5

Vs.

1.The Inspector of Police,
Old Ayakudi Police Station
Palani Taluk, Dindigul District.
(Crime No.30/2017)

....Ist Respondent/Complainant

2.J.Shanthi

...IInd Respondent/De-facto Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying this Court to call for the records pertaining to the FIR in Crime No.30 of 2017, on the file of the first respondent Police, dated 21.2.2017 and quash the same as illegal.

For Petitioners : M/s.T.Lajapathi Roy
For Respondent-1 : Mr.K.Anbarasan
Govt. Advocate(Crl.Side)

For Respondent-2 :M/s.T.Seeni Syed Amma

O R D E R

This Criminal Original Petition has been filed to quash FIR in Crime No.30 of 2017, on the file of the first respondent Police, dated 21.2.2017.

2.Heard the submissions of Mr.T.Lajapathi Roy, learned counsel for Petitioners and Mr.K.Anbarasan, learned Government Advocate(Crl.side)appearing for the first respondent/State and



Mr.T.Seeni Syed Amma, learned counsel appearing for the second respondent and perused the materials placed before this Court including the joint compromise memo filed by both the parties.

3.The Petitioners are the accused in Crime No.30 of 2017. On the basis of the complaint given by the second respondent/de-facto complainant, a case was registered for the offence under Sections 341, 147, 294(b), 323, 354, 506(i) of IPC and Section 4 of TNPWH Act, 2002. It appears that subsequent to the complaint, the parties have settled their dispute amicably, as they are relatives. They have also produced before this Court a joint compromise memo, dated 4.8.2017. As per the joint compromise memo, the second respondent/de-facto complainant has agreed to withdraw the case and expressed that she has no objection for quashing the FIR registered against the Petitioners. Today, the parties appear before this Court and expressed in unequivocal terms that they have entered into a compromise memo on their free will and own volition. In the compromise memo, dated 4.8.2017, the counsels representing the de-facto complainant as well as the petitioner have signed. The identity of the parties are verified with reference to the authenticated documents produced before this Court by the parties concerned. The identity of the parties are also confirmed by the learned Government Advocate(Crl.Side)through the first respondent/Police.

4.Having regard to the terms of joint compromise memo, dated 4.8.2017, this Court is of the view that no useful or fruitful purpose will be served in keeping this petition pending. Hence, in the circumstances stated above, this Court is inclined to quash the FIR in Crime No.30 of 2017, on the file of the first respondent Police, dated 21.2.2017 registered against the Petitioners, on the basis of the Joint Compromise Memo, dated 4.8.2017, filed by both the parties.

5. Accordingly, this Criminal Original Petition is allowed and the FIR in Crime No.30 of 2017, on the file of the first respondent Police, dated 21.2.2017 insofar as the Petitioners alone is quashed. The Joint compromise memo, dated 4.8.2017 shall form part and parcel of this order.

Sd/-

Assistant Registrar(crl side)

/Truecopy/

Sub Assistant Registrar

To

Joint compromise memo xerox copies are enclosed

<https://hccourtindia.org/> of Police,
Old Ayakudi Police Station
Palani Taluk, Dindigul District.



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

+2cc to M/S.T.LAJAPATHIROY, Advocate SR.No.71823

vsn

MAS/KP/SAR2:22.08.2017:3P-5C

ORDER MADE IN
CRL.OP.(MD)No.10462 of 2017
09.08.2017