



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P(MD)No.10955 of 2017 and
CRL.M.P.(MD)No.7472 of 2017

Thanaselvam @ Thakkali ... Petitioner/Sole Accused

Vs.

1. The State through,
Inspector of Police,
Thuckalay Police Station,
Kanyakumari District. ... Respondent/Complainant

2. Sudhakaran ...Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the First Information Report in Crime No.475 of 2016, dated 29.05.2016 on the file of the first respondent police and to quash the same.

For Petitioner	: Mr.S.J.Chakkaravarthy
For R-1	: Mr.K.Anbarasan, Government Advocate(Crl.Side).
For R-2	: Mr.S.Muneeswaran

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.475 of 2016, dated 29.05.2016 on the file of the first respondent police.

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 the complaint preferred by the second respondent/defacto complainant, a case was registered by the first respondent police in Crime No.475 of 2016 for the offences under Sections 341, 294(b), 307, 506(ii) I.P.C., and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act 1992. Though it is the case of no injury, a case was registered

under Section 307 I.P.C.

4. Pursuant to the registration of the case, it appears that the petitioner who is the sole accused and the second respondent/defacto complainant on the advise of the elders and family members, have settled their dispute amicably out of Court. The parties also have entered into a compromise. A Joint Compromise Memo, dated 29.05.2016, signed by the petitioner and the second respondent/defacto complainant in the presence of their respective counsels is produced before this Court. In the Joint Compromise Memo, it is stated that the parties have entered into a compromise settling their dispute amicably and that the defacto complainant has no objection for quashing the complaint.

5. The parties appeared 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.475 of 2016, dated 29.05.2016 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. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

Encl:Xerox copy of Compromise Memo

To

1. The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

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

2. The Additional Public Prosecutor,



Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.S.J.Chakkaravarthy, ADVOCATE IN SR No.73315

pmu

MK/SV MMS/SAR-2/07.09.2017/3P/4C

CRL OP(MD)No.10955 of 2017
21.08.2017