



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2017

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P(MD)No.11082 of 2017 and
CRL.M.P.(MD)No.7572 of 2017

1. Thangaraj
2. Pandiyan ... Petitioners/Accused Nos.1 and 4
Vs.

1. The State through,
Deputy Superintendent of Police,
Melur, Madurai District.
2. The State through,
Inspector of Police,
Kottampatti Police Station,
Madurai District. ... Respondents 1 & 2/Complainants
3. Saravanan ... 3rd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call records relating to the First Information Report in Crime No.168 of 2016, dated 18.04.2016 on the file of the second respondent police and to quash the same as against the petitioners.

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

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.168 of 2016, dated 18.04.2016 on the file of the second respondent police.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal side) appearing for the respondents 1 and 2.



3. On the basis of the complaint preferred by the third respondent/defacto complainant, a case was registered by the second respondent police in Crime No.168 of 2016, dated 18.04.2016 for the offences under Sections 294(b), 323, 324, 342, 506(ii) I.P.C., r/w Section 3(1) (x) of SC/ST Prevention of Atrocities Act.

4. After the registration of the criminal complaint, it appears that the parties have settled their dispute amicably out of Court. The parties also have entered into a compromise. A Joint Compromise Memo, signed by the petitioners and the third respondent/defacto complainant in the presence of their respective counsels is produced before this Court. As per Joint Compromise Memo, the petitioners who are the accused Nos.1 and 4 and the defacto complainant have no objection for quashing the criminal complaint registered on the file of the second respondent.

5. The parties, namely, the petitioners and the third respondent/defacto complainant 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 second 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.168 of 2016, dated 18.04.2016 on the file of the second respondent police is quashed in so far as the petitioners herein. The Joint Compromise Memo signed by the parties shall form part of the order. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

Encl:Xerox copy of Compromise memo



To

1. The Deputy Superintendent of Police,
Melur, Madurai District.

2. The Inspector of Police,
Kottampatti Police Station,
Madurai District.

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

+ 1 CC TO MR.S.J.Chakkaravarthy, ADVOCATE IN SR No.73991

pmu

MK/SV MMS/SAR-1/07.09.2017/3P/5C

CRL OP(MD)No.11082 of 2017
23.08.2017