



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Crl.O.P.(MD) No.11231 of 2017

- 1.Gowtham @ Gowtham Harithick
- 2.Sethu @ Sethuram
- 3.Kavin @ Kavil
- 4.Kannan
- 5.Venkatesh
- 6.Harris

...Petitioners/Accused No.1 to 6

-Vs-

1. The State represented by,
The Sub Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District,
(In Crime No.413 of 2017) ...1st Respondent/Complainant
- 2.Krishnakumar ... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records from the lower Court in Cr.No.413 of 2017 on the file of the Inspector of Police, Sankarankovil Town Police Station, Tirunelveli District and to quash the same.

For Petitioners : Mr.J.Senthilkumar

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

For R-2 : Mr.N.Sekar

O R D E R

This Criminal Original petition has been filed to call for the records from the lower Court in Cr.No.413 of 2017 on the file of the Inspector of Police, Sankarankovil Town Police Station, Tirunelveli District and to quash the same.



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

WEB COPY

3. On the basis of complaint given by the second respondent, against the petitioners, a case was registered in Crime No. 413 of 2017 on the file of the first respondent for the offences punishable under Sections 147, 294(b) and 323 of I.P.C. The petitioners are the accused Nos. 1 to 6 in Crime No. 413 of 2017.

4. It appears that at the advise of the elders and friends, the petitioner and second respondent have agreed to compromise the matter out of Court. A Joint Compromise Memo, dated 22.08.2017, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has given his consent to quash the entire proceedings in Crime No. 413 of 2017 in favour of the petitioners.

5. The parties appeared before this Court 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.

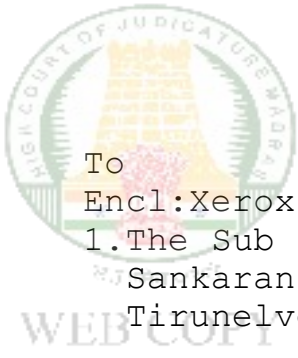
6. Having regard to the compromise arrived at between the parties, this Court is of the view that no useful purpose will be served by keeping this matter pending. As per the Compromise Memo signed by the parties, the de-facto complainant, namely, the second respondent has agreed to quash the proceedings even against the petitioners. Hence the criminal proceedings in Crime No. 413 of 2017 on the file of the first respondent police, Sankarankovil Town Police Station, Tirunelveli District, is quashed in toto. 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 (P&A)

/True copy/

Sub Assistant Registrar



To

Encl:Xerox copy of Compromise memo

1.The Sub Inspector of Police,
Sankarankovil Town Police Station,
Tirunelveli District.

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

+1 cc to Mr.J.Senthilkumar , Advocate in SR.No. 74850

cmr/dss

AE/MR KKR/SAR1/11.09.2017/3P/4C

Cr1.O.P.(MD) No.11231 of 2017
28.08.2017