



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.11400 of 2017

Shahul Hameed

... Petitioner

-Vs-

1. State rep. by
The Inspector of Police,
Pathamadai Police Station,
Thirunelveli District.
(Crime No.71 of 2015)

2.Mydeen Fathima

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.71 of 2015 pending on the file of the first respondent Police and quash the same.

For Petitioner	:	Mr.D.S. Haroon Rasheed
For R1	:	Mr.K.Anbarasan, Government Advocate(Crl.side)
For R2	:	Mr.A. Balaji

ORDER

This Criminal Original petition is filed to call for the records pertaining to the case in Crime No.71 of 2015 pending on the file of the first respondent Police and quash the same.

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

3. On the basis of the complaint given by the second respondent, a case was registered against the petitioner in Crime No.71 of 2015 on the file of the first respondent police for the offences punishable under Sections 294(b), 355 of IPC and Section 4 of Tamil Nadu Prohibition of Woman Harassment Act. It is stated that the parties have settled their matter amicably out of Court and that therefore, the de facto complainant has agreed to withdraw the complaint as against the petitioner herein.



4. The parties have filed the joint compromise memo signed by the petitioner as well as the de facto complainant in the presence of their respective counsels. As per the joint compromise memo, the parties have agreed to quash the criminal proceedings.

5. The parties appeared before this Court and expressed in unequivocal terms that they have settled the dispute and signed in the Joint Compromise Memo on their own 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 compromise memo, 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 defacto complainant, namely, the second respondent has agreed to quash the proceedings against the petitioners herein. Hence the criminal complaint in Crime No.71 of 2015 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.

7. Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

Encl: Xerox copy of Compromise memo

1.The Inspector of Police,
Pathamadai Police Station,
Thirunelveli District.

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

Trp

AE/KP/SAR3/20.09.2017/2P/3C

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