



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) No.11463 of 2017

1.Sudar Ganesh
2.Balamurugan

... Petitioners/Accused Nos.1 and 2

Vs.

1.State represented by
The Inspector of Police,
Pazhavor Police Station,
Pazhavor, Tirunelveli District.
(In Crime No.43 of 2017)

... 1st Respondent/Complainant

2.Thangaraj

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the FIR in Crime No.43 of 2017 pending on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.C.Jeyaprakash
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).
For R-2 : Mr.S.Muthukumar

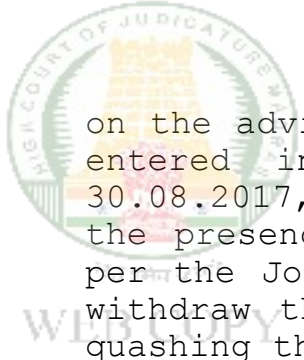
O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.43 of 2017 pending 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. The petitioners are the accused Nos.1 and 2 in Crime No.43 of 2017 on the file of the first respondent. On the basis of the complaint lodged by the second respondent/defacto complainant, a case was registered in Crime No.43 of 2017, dated 04.03.2017 for the offences under Sections 294(b), 352 and 506(ii) of I.P.C.

4. It appears that the petitioner and the second respondent/defacto complainant have settled their dispute amicably,



on the advise of the well-wishers and elders. The parties also have entered into a compromise. The Joint Compromise Memo, dated 30.08.2017, signed by the petitioner and the defacto complainant in the presence of their counsels is produced before this Court. As per the Joint Compromise Memo, the second respondent has agreed to withdraw the complaint and expressed that he has no objection for quashing the criminal complaint.

5. Today the parties, namely, the petitioners and the second respondent appeared before this Court and expressed in unequivocal terms that they have signed 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.43 of 2017 pending 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.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Pazhavor Police Station,
Pazhavor,
Tirunelveli District.

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

+1cc to Mr.C.JEYAPRAKASH Advocate in SR. No. 75694

PMU

JS/SKN.RSK/SAR.1/11.09.2017/2P-4C