



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP(MD)No.11505 of 2017

J.Saghaya Paulraj

... Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
South Gate Police Station,
Madurai City.
(In Crime No.404 of 2017)

... Respondent /Complainant

2.G.Angammal

... Respondent/ De-facto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the First Information Report in Crime No.404 of 2017 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.C.M.Arumugam
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl.Side)
For R-2 : Mr.V.B.Sundhareshwar

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.404 of 2017 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 petitioner is a sole accused in Crime No.404 of 2017 on the file of the first respondent police. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered as against the petitioner in Crime No.404 of 2017 for the offence under Section 304(A) I.P.C.

4. It appears that the parties, namely, the petitioner and the second respondent have settled their dispute amicably out of Court, on the advise of the well-wishers and elders. The parties also have entered into a compromise. The Joint Compromise Memo, dated 21.08.2017, signed by the petitioner and the de-facto



complainant in the presence of their respective counsels is produced before this Court. As per the Joint Compromise memo, the parties have agreed to quash the First Information Report in Crime No.404 of 2017 on the file of the first respondent.

5. The parties, namely, the petitioner 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.404 of 2017 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(Records)

/True Copy/

Sub Assistant Registrar

To

Joint compromise memo xerox copies are enclosed

1.The Inspector of Police,
South Gate Police Station, Madurai City.

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

+1cc to M/S.C.M.ARUMUGAM, Advocate SR.No.75915

Pmu

MAS/SV-MMS/SAR2:13.09.2017:2P-4C

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