



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP.(MD)No.11569 of 2017

Saravanan

...Petitioner/Accused No.1

Vs.

1.The State represented by its,
The Sub-Inspector of Police,
Tiruchendur Police Station,
Tuticorin District.
(Crime NO.15/2017)

...1st Respondent/Complainant

2.M.Raja

...2nd Respondent/De-facto Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records, relating to the FIR in Crime No.15 of 2017 on the file of the 1st respondent Police Station and to quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.N.Ramesh Arumugam
For 1st Respondent : Mr.K.Anbarasan
Govt. Advocate(Crl.Side)
For 2nd Respondent : Mr.S.Vijayakumar

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No. 15 of 2017, pending on the file of the first respondent Police.

2.Heard the submissions of Mr.N.Ramesh Arumugam, learned counsel appearing for the Petitioner and Mr.K.Anbarasan, learned Government Advocate(Crl.side) appearing for the first respondent/State and Mr.S.Vijayakumar, learned counsel appearing for the second respondent and perused the materials placed before this Court including the joint compromise memo filed by both parties.

3.Pursuant to the complaint filed by the de-facto complainant namely, the second respondent herein, a case was registered in Crime No.15 of 2017, by the first respondent against the petitioner for the alleged offences under Sections 294 (b), 323, 506 (ii) of IPC.



4.It appears that the petitioner/1st accused and the second respondent/defacto complainant have settled their dispute amicably out of Court. They have also entered into a compromise. A joint Compromise memo dated 10.08.2017, signed by the parties concerned in the presence of their respective counsels is produced before this Court. As per the joint compromise memo, the parties have settled their dispute amicably, at the request of their relatives and well-wishers. The second respondent did not want to proceed further and agreed to quash the F.I.R.

5.Today, the parties namely the petitioner and the defacto complainant appeared before this Court and expressed that they have entered into a compromise memo on their own will and free volition. In the compromise memo, dated 10.08.2017, the counsels representing the de-facto complainant as well as the petitioner have signed. The identity of the parties are verified with reference to the authenticated documents produced before this Court by the parties concerned. The identity of the parties are also confirmed by the learned Government Advocate (Crl.Side) through the respondent/Police.

6.In view of the above, this Court is of the view that no useful and fruitful purpose will be served in keeping this petition pending. Hence, in the circumstances stated above, this Court is inclined to quash the FIR registered against the Petitioner on the basis of the Joint Compromise Memo, dated 10.08.2017, filed by the both parties.

7. Accordingly, this Criminal Original Petition is allowed and the FIR in Crime No. 15 of 2017, pending on the file of the first respondent / Police is quashed in toto. The Joint compromise memo, dated 10.08.2017 shall form part and parcel of this order.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

Herewith enclosed the copy of Joint Compromise Memo

To

1.The Sub-Inspector of Police, Tiruchendur Police Station,
Tuticorin District.

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

+1CC to Mr.M.S.Jeyakarthik, Advocate, SR.No. 76513

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