



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) No.11770 of 2017

WEB COPY

S.Muthupandi

...Petitioner/Accused No.1

-Vs-

1. The State represented by
The Inspector of Police,
K.K.Nagar Police Station,
Trichy District.
(In Crime No.576 of 2017)

...1st Respondent/Complainant

2. S.Saravanan

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Crime No.576 of 2017, on the file of the 1st respondent and quash the same as far as the petitioner is concerned.

For Petitioner	:Mr.P.Sathiyamoorthy
For R-1	:Mr.K.Anbarasan, Government Advocate(Crl.side).
For R-2	:Mr.P.Shenbagaraj

O R D E R

This Criminal Original petition has been filed to quash the records in Crime No.576 of 2017, on the file of the 1st respondent, as far as the petitioner is concerned.

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.On the basis of complaint given by the second respondent, as against the petitioner and 3 others, a case was registered in Crime No.576 of 2017 on the file of the first respondent for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of I.P.C.

4.It appears that at the advise of the elders and friends, the petitioner and the second respondent have agreed to compromise the matter out of Court. A Joint Compromise Memo, dated 04.09.2017,



signed by both parties, in the presence of their respective counsels, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has given his consent to quash the entire proceedings insofar as the petitioner / Accused No.1 in Cr.No.576 of 2017, is concerned.

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 against the petitioner alone. Hence the criminal proceedings in Cr.No.576 of 2017 on the file of the first respondent is quashed insofar as the petitioner / Accused No.1 alone is concerned. The Joint Compromise Memo signed by the parties shall form part of the order. Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

Encl.: Xerox Copy of Compromise Memo

To

1. The State represented by,
The Inspector of Police,
K.K.Nagar Police Station,
Trichy District.
 2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- + 1 CC TO MR.P.Sathiyamoorthy , ADVOCATE IN SR No. 77198
cmr
MK/SKN RSK/SAR-3/3P/4C/18.09.2017

Cr1.O.P.(MD) No.11770 of 2017
06.09.2017