



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2017

CORAM

WEB COPY

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

CrI.O.P.(MD) No.11835 of 2017

1.Francis
2.Arockiasamy
3.Thennarasan

... Petitioners/Accused Nos.1 to 3

-Vs-

1. The Inspector of Police,
Batlagundu Police Station,
Nilakottai Taluk,
Dindigul District.
(Crime No.362 of 2013)

... 1st Respondent/Complainant

2. Amsaraj

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records pertaining to PRC No.33 of 2014 on the file of the first respondent police and quash the same.

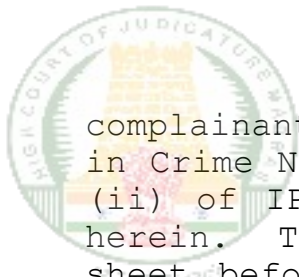
For Petitioners	:	Mr.T.Vadivelan
For R-1	:	Mr.K.Anbarasan, Government Advocate(CrI.side).
For R-2	:	Mr.Karthick Subramanian

O R D E R

This Criminal Original petition is filed to call for records pertaining to PRC No.33 of 2014 on the file of the first respondent police and quash the same.

2. Heard the learned counsel appearing for the petitioners 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 accused Nos.1 to 3 in PRC No.33 of 2014 on the file of the learned Judicial Magistrate, Nilakkottai. On the basis of the complaint preferred by the second respondent / de facto



complainant, a case was registered by the first respondent police in Crime No.362 of 2013 for the offences under Sections 294(b), 506 (ii) of IPC r/w. Provisions of TNPPDL Act against the petitioners herein. Thereafter, the first respondent police has filed a charge sheet before the learned Judicial Magistrate, Nilakkottai and the same was taken on file in PRC No.33 of 2014.

4. It appears that parties viz., petitioners and the de facto complainant have settled their dispute amicably out of Court, at the instigation of the elders and well wishers and they have also entered into a compromise. A joint compromise memo signed by the parties concerned in the presence of their respective counsels is produced before this Court.

5. As per the joint compromise memo, the parties have stated that they have voluntarily entered into a compromise to avoid ordeal of trial. They have also stated in unequivocal terms that the Joint Compromise Memo was signed by them 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. Though the identities could not be verified by the respondent police, this Court is inclined to proceed and dispose of the Criminal Original petition, on the basis of the Compromise Memo, as the appearance of the parties and their individual identity have been confirmed by the respective counsels.

6. In the Compromise Memo, the de facto complainant has agreed to withdraw the criminal case and the petitioners / Accused Nos.1 to 3 and second respondent have requested this Court to quash the proceedings in PRC No.33 of 2014 on the file of the learned Judicial Magistrate, Nilakkottai.

7. In the said circumstances, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, on the basis of the compromise memo signed by the parties, the Criminal Original petition is allowed and the proceedings pending in PRC No.33 of 2014 on the file of the learned Judicial Magistrate, Nilakkottai, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo



1. The Judicial Magistrate, Nilakkottai.

2. The Inspector of Police,
Batlagundu Police Station,
Nilakottai Taluk,
Dindigul District.

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

+ 1 CC TO Mr.T.VADIVELAN, ADVOCATE IN SR No. 77148

TRP

TE/SV-MMS/SAR-I : 26/09/2017 : 3P/5C

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