



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) No.12080 of 2017

WEB COPY

1.Sivakumar

2.M.Suthakaran

3.Bala @ Balasundaram

...Petitioners/Accused No.1 to 3

-Vs-

1. The State represented by,
The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.

(In Crime No.181 of 2017)

...1st Respondent/Complainant

2.Santhiyagu

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, Praying to call for the records relating to the First Information Report in Crime No.181 of 2017 on the file of the first respondent police, Kalayarkovil Police Station, Sivagangai District and quash the same.

For Petitioners : Mr.K.Ramanathan

For R-1 : Mr.K.Anbarasan,
Government Advocate (Crl. side).

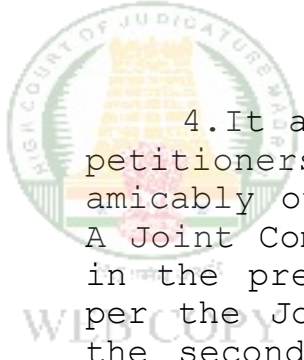
For R-2 : Mr.S.Senthil Murugan

O R D E R

This Criminal Original Petition has been filed to quash the records relating to the First Information Report in Crime No.181 of 2017 on the file of the first respondent police, Kalayarkovil Police Station, Sivagangai District.

2.Heard the learned Counsel appearing for the petitioners, 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, against the petitioners, a case was registered in Crime No.181 of 2017 on the file of the first respondent for the offences punishable under Sections 306, 201 and 270 of I.P.C. The petitioners are the accused Nos.1 to 3.



4.It appears that at the advise of the elders and friends, the petitioners and the second respondent have settled their dispute amicably out of Court and they have also entered into compromise. A Joint Compromise Memo, dated 09.09.2017, signed by both parties, in the presence of their respective counsel, is also filed. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has given his consent to quash the entire proceedings in Crime No.181 of 2017 in favour of the petitioners.

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 compromised 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 all accused. Hence the criminal proceedings in Crime No.181 of 2017 on the file of the first respondent police, Kalayarkovil Police Station, Sivagangai District, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

Encl.:Xerox Copy of Compomise Memo

To

1. The Inspector of Police,
Kalayarkovil Police Station,
Sivagangai District.

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

Cmr

MK/SV MMS/SAR-4/2P/3C/20.09.2017