



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.12265 of 2017

1.B.Senthil
2.Prabu
3.Sumathi
4.Mayil

...Petitioners/Accused 1 to 4

-Vs-

1.The State Represented by
The Sub Inspector of Police,
Alanganallur Police Station,
Madurai District.
(in crime No.419 of 2016)

...1st Respondent/Complainant

2.Subramaniya Thevar

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records of the FIR in Cr.No.419 of 2016 dated 29.09.2016 on the file of the 1st respondent and quash the same.

For Petitioners :Mr.S.Satheesh Kumar
For R-1 :Mr.K.Anbarasan,
Government Advocate(Crl. side).
For R-2 :Mrs.K.Lakshmi Priya

O R D E R

This Criminal Original petition has been filed to quash the records of the FIR in Cr.No.419 of 2016 dated 29.09.2016 on the file of the 1st respondent.

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.Based on the complaint lodged by the second respondent, against the petitioners, a case was registered in Crime No.66 of 2014 on the file of the first respondent police for the offences committed under Sections 294(b) and 323 IPC and under Section 4 of Prohibition of Harassment of Women Act. The petitioners are the accused No.1 to 4.



4.It appears that at the intervention of the elders and well wishers, the petitioners and the second respondent have agreed to compromise the matter out of Court. The parties have also entered into a compromise. A Joint Compromise Memo, 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 agreed to quash the First Information Report in Cr.No.419 of 2016.

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 petitioners. Hence the First Information Report in Cr.No.419 of 2016 on the file of the Sub Inspector of Police, Alanganallur Police Station, Madurai 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(Crl.Side)

/True Copy/

Sub Assistant Registrar.

Herewith enclosed the copy of Compromise memo

To

1 The Sub Inspector of Police, Alanganallur Police Station,
Madurai District.

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

+1CC to Mr.S.Satheesh Kumar, Advocate, SR.No.79421

Crl.O.P.(MD) No.12265 of 2017