



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) Nos. 12266 and 12267 of 2017

Crl.O.P.(MD) No. 12266 of 2017

Ramamoorthy ...Petitioner/ Sole Accused

-Vs-

1. The State represented by,
The Inspector of Police,
Fort Police Station,
Tiruchirappalli City,
Tiruchirappalli District,
(In Crime No.989 of 2017)

... 1st Respondent/Complainant

2. Elangovan

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to call for records and quash the F.I.R. in Crime No.989 of 2017 on the file of the Inspector of Police, Fort Police Station, Tiruchirappalli City, Tiruchirappalli District, pursuant to the compromise arrived at the parties.

For Petitioner :Mr.Thiruvadi Kumar
For R-1 :Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 :Mr.S.Vinayak

Crl.O.P.(MD) Nos. 12267 of 2017

Elangovan ...Petitioner/Sole Accused

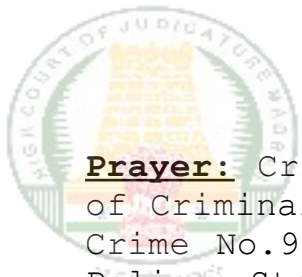
-Vs-

1. The State represented by,
The Inspector of Police,
Fort Police Station,
Tiruchirappalli City,
Tiruchirappalli District.
(In Crime No.990 of 2017)

...1st Respondent/Complainant

2. Ramamoorthy

... 2nd Respondent/De-facto
Complainant



Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records and quash the F.I.R. in Crime No.990 of 2017 on the file of the Inspector of Police, Fort Police Station, Tiruchirappalli City, Tiruchirappalli District, pursuant to the compromise arrived at the parties.

For Petitioner :Mr.S.Vinayak
For R-1 :Mr.K.Anbarasan,
Government Advocate(Crl.side).
For R-2 :Mr.Thiruvadi Kumar

COMMON ORDER

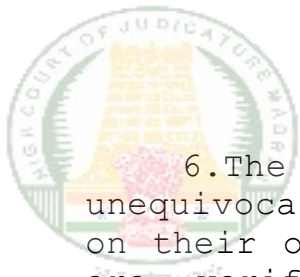
The Criminal Original petition in Crl.O.P(MD) No.12266 of 2017 has been filed to quash the F.I.R. in Crime No.989 of 2017 on the file of the Inspector of Police, Fort Police Station, Tiruchirappalli City, Tiruchirappalli District, pursuant to the compromise arrived at between the parties.

2.The Criminal Original Petition in Crl.O.P(MD) No.12267 of 2017 has been filed to quash the F.I.R. in Crime No.990 of 2017 on the file of the Inspector of Police, Fort Police Station, Tiruchirappalli City, Tiruchirappalli District, pursuant to the compromise arrived at between the parties.

3.The petitioner in Crl.O.P(MD) No.12266 of 2017 is the sole accused in Crime No.989 of 2017 and the de-facto complainant in Crime No.990 of 2017 and similarly the petitioner in Crl.O.P(MD) No.12267 of 2017, is the sole accused in Crime No.990 of 2017 and de-facto complainant in Crime No.989 of 2017, on the file of the first respondent police. It is the case of case and case in counter.

4.The complaint in Crime No.989 of 2017 was registered for the offences punishable under Sections 294(b), 323 and 506(ii) IPC, on the file of the first respondent police. Similarly, the complaint in Crime No.990 of 2017 was registered for the offences punishable under Sections 294(b), 324 and 506(ii) IPC, on the file of the first respondent police.

5.It appears that on the advise of the elders and relatives, the petitioner and the second respondent in both the cases, have agreed to compromise the matter, out of Court. Joint Compromise Memos, signed by both the parties, in the presence of their respective counsel, are also filed to that effect. As per the Joint Compromise Memos, the de-facto complainant, namely, the second respondent, in both cases, have given their consent to quash the First Information Report in Crime Nos.989 and 990 of 2017.



6.The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own will and free volition. The identity of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identity of the parties are also confirmed by the learned Government Advocate (Criminal side) through the first respondent police.

7.Having regard to the terms of agreement made between the parties, this Court is of the view that no useful or fruitful purpose will be served by keeping these matters pending. Hence the First Information Report in Crime Nos.989 and 990 of 2017, on the file of the first respondent, namely, the Inspector of Police, Fort Police Station, Tiruchirappalli, are quashed in *toto*. The Joint Compromise Memos signed by the parties shall form part of the order.

8. Accordingly, these Criminal Original petitions are allowed.

Encl: Joint Compromise Memo

Sd/-
Assistant Registrar(writs)

/True Copy/

Sub Assistant Registrar

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To

1. The Inspector of Police,
Fort Police Station,
Tiruchirappalli City,
Tiruchirappalli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai .

+1cc to Mr.A.Thiruvadi Kumar, Advocate Sr.No.79396
+1cc to Mr.S.Vinayak, Advocate Sr.No.79399

CMR
VB/SKN/RSK/SAR4/10/10/2017/3P/5C