



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2017

CORAM

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Crl.O.P.(MD) No.12391 of 2017

Ayyanar @ Ayyanarpandi ...Petitioner/Sole Accused

-Vs-

1.The State represented by
The Inspector of Police,
Kayatharu Police Station,
Thoothukudi
(In Crime No.318 of 2017) ...1st Respondent/Complainant

2.Sudalaikannu ... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records relating to the F.I.R. in crime No.318 of 2017, on the file of the 1st respondent and quash the same.

For Petitioner :Mr.Lakshmi Gopinathan
For R-1 :Mr.K.Anbarasan,
Government Advocate(Crl. side).
For R-2 :Mr.C.Sasikumar

ORDER

This Criminal Original Petition has been filed to quash records relating to the FIR in Crime No.318 of 2017 on the file of the 1st respondent police.

2.Heard the learned Counsel appearing for the petitioner, the learned Government Advocate(Criminal side) appearing for the first respondent and the learned Counsel appearing for the second respondent.

3.The petitioner is the sole accused in Crime No.318 of 2017, which was registered, based on the complaint received from the second respondent, on the file of the first respondent police for offences punishable under Sections 294(b), 387 and 506(ii) IPC.



4.It appears that the petitioner and the de-facto complainant have settled their dispute amicably out of Court and they have also entered into a compromise. A Joint Compromise Memo, 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 expressed that he has no objection for quashing the First Information Report in Cr.No.318 of 2017.

5.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 specific terms of the Joint Compromise Memo, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence the First Information Report in Cr.No.318 of 2017 on the file of the Inspector of Police, Kayatharu Police Station, Thoothukudi 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(CS-I)

/True Copy/

Sub Assistant Registrar

To

Encl:Xerox copy of Compromise memo

The Inspector of Police,
Kayatharu Police Station,
Thoothukudi.

Cmr

MAS/JC/SAR2:09.10.2017:2P-2C

Cr1.O.P.(MD) No.12391 of 2017
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