



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2017

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**Cr1.O.P. (MD) No.12395 of 2017

1.Mangamari
2.Karuthapandi
3.Saravanan
4.Haripandi
5.Muthukrishnan
6.Gajendran
7.Navaneethakrishnan
8.Venkatesh ...Petitioners/Accused Nos. 1 to 8

-Vs-

1.The Deputy Superintendent of Police.,
Cheranmahadevi Taluk,
Tirunelveli District.
2.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
(Crime No.157 of 2014) ... Respondents 1and 2/ Complainant

3.Maruthu Pandi ... 3rd Respondent/ De-facto complainant

4.Ganesan ...4th Respondent/ Victim

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records of pertaining to the Crime No.157 of 2014 on the file of the 2nd respondent and quash the same.

For Petitioners :Mr.R.Vinoth Bharathi

For R1 and R2 :Mr.K.Anbarasan,
Government Advocate (Cr1. Side).

<https://hcservices.ecourts.gov.in/hcservices> For R3 and R4 :Mr.S.Raja Prabhu

**O R D E R**

This Criminal Original Petition has been filed to quash the entire records pertaining to the Crime No.157 of 2014 on the file of the 2nd respondent.

2.Heard the learned Counsel appearing for the petitioners, the learned Government Advocate(Criminal side) appearing for the first and second respondents and the learned Counsel appearing for the third and fourth respondents.

3.The petitioners are the Accused Nos. 1 to 8 in Crime No.157 of 2014. Based on the complaint received from the third respondent, against the petitioners, a case was registered in Cr.No.157 of 2014 on the file of the first respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 307, 506(2) IPC and Section 3(1)(r)(s), 3(2)(v), (va) SC/ST (POA) Act, 1989 & Amendment Act 2014.

4.It appears that on the advice of the close relatives and elders, the petitioners and the de-facto complainant have settled their dispute amicably out of Court and they have also entered into 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 third respondent has no objection for quashing the First Information Report in Cr.No.157 of 2014. Though the offences are non-compoundable, the learned Counsel for the petitioners, has stated that the Honourable Supreme court in similar cases, have recognized to quash all proceedings, on the basis of compromise entered into between the parties.

5.The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and 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.157 of 2014 on the file of the Inspector of Police, Veeravanallur Police Station, Tirunelveli District is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.



8. Accordingly, the Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(P&A)

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/True Copy/

Sub Assistant Registrar

To

Encl:Xerox copy of Compromise memo

- 1.The Deputy Superintendent of Police.,
Cheranmahadevi Taluk,
Tirunelveli District.
- 2.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.R.VINOTH BHARATHI, Advocate SR.No.80237

cmr
MAS/JC/SAR2:11.10.2017:3P-5C

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