



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

Crl.O.P.(MD) No.12453 of 2017

1. Karthikraja
2. Irulappan
3. Muthuraja
4. Lakshmanan

... Petitioners/Accused Nos.1 to 4

-Vs-

1. The Inspector of Police,
Nathampatti Police Station
Virudhunagar District.
(In Crime No.83 of 2017)

... 1st Respondent/Complainant

2. Singaraj

... 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 FIR in Crime No.83 of 2017 on the file of the Inspector of Police, Nathampatti Police Station, Virudhunagar District.

For Petitioners : Mr.B.S.Meltiue
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl. side).
For R-2 : Mr.A.Vadivel

O R D E R

This Criminal Original Petition has been filed to quash to quash the FIR in Crime No.83 of 2017 on the file of the Inspector of Police, Nathampatti Police Station, Virudhunagar 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.The petitioners are Accused Nos.1 to 4 in Cr.No.83 of 2017. Based on the complaint lodged by the second respondent, against the petitioners, the case was registered in Crime No.83 of 2017, on the file of the first respondent police, for the offences punishable under Sections 341, 294(b), 323, 506(ii) IPC r/w Section 3 of the Tamil Nadu Public Property (Prevention of Damage



and Loss) Act, 1992.

4.It appears that the on the advice of friends and elders, the parties have entered into compromise and 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 agreed to quash the First Information Report in Cr.No.83 of 2017 pending before first respondent.

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.

6.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.83 of 2017 on the file of the Inspector of Police, Nathampatti Police Station, Virudhunagar 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 (AE)

/True copy/

Sub Assistant Registrar

Encl.:Xerox Copy of Compromise Memo
To

1. The Inspector of Police,
Nathampatti Police Station
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO MR.B.S.Meltiue, ADVOCATE IN SR No. 80517
cmr
MK/KK/SAR-2/09.10.2017/2P/4C