



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2017

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

CrI.O.P.(MD) No.12469 of 2017

1.Manikandan
2.Selvam
3.Muthiah

...Petitioners/Accused Nos.1 to 3

-Vs-

1.The State represented by
The Inspector of Police,
Samayanallur Town Police Station,
Madurai District.
(In Crime No.30 of 2016)

...1st Respondent/Complainant

2.Kaliappan

... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the First Information Report in Crime No.30 of 2016 on the file of the Inspector of Police, Samayanallur Police Station, Madurai District and quash the same.

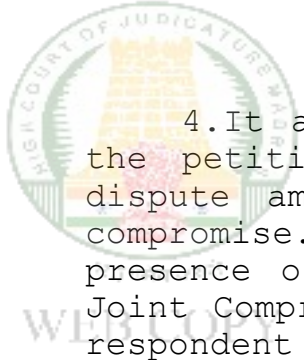
For Petitioners	:Mr.K.Ramanathan
For R-1	:Mr.K.Anbarasan,
	Government Advocate(Crl. side).
For R-2	:Mr.B.Vinoth Kumar

O R D E R

This Criminal Original Petition has been filed to quash the First Information Report in Crime No.30 of 2016 on the file of the Inspector of Police, Samayanallur Police Station, Madurai 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.Based on the complaint lodged by the second respondent, against the petitioners, a case was registered in Crime No.30 of 2016 on the file of the first respondent police for the offences punishable under Sections 174 of Cr.P.C., and subsequently the case was altered into Section 306 IPC. The petitioners are the Accused Nos.1 to 3.



4.It appears that on the advice of elders and family members, 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 second respondent has agreed to quash the First Information Report in Cr.No.30 of 2016.

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.

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.30 of 2016 on the file of the Inspector of Police, Samayanallur 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(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Samayanallur Town Police Station,
Madurai District.

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

+1cc to Mr.V.KANNANAdvocate in SR. No. 80288

CMR

JS/SKN.RSK/SAR.1/9.10.2017/2P-4C