



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2017

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**Crl.O.P.(MD) No.12494 of 2017

Loganathan

...Petitioner/Sole Accused

-Vs-

1.The Inspector of Police,
Reddiarchathiram Police Station,
Reddiarchathiram
Dindigul District.
(In Crime No.109 of 2016)

...1st Respondent/Complainant

2.Ganesan

... 2nd Respondent/De-facto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.109 of 2016 on the file of the first respondent police and quash the same.

For Petitioner	:Mr.J.Lawrance
For R-1	:Mr.K.Anbarasan, Government Advocate(Crl. side).
For R-2	:Mr.B.Arun

ORDER

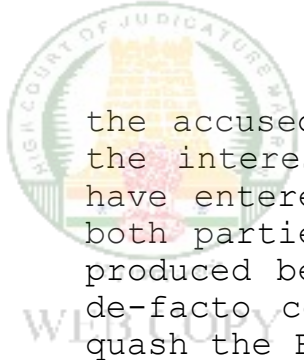
This Criminal Original Petition has been filed to quash the records pertaining to the case in Crime No.109 of 2016 on the file of the first respondent police.

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 Cr.No.109 of 2016. Based on the complaint lodged by the second respondent, against the petitioner, the case was registered in Crime No.109 of 2016, on the file of the first respondent police, for the offences punishable under Sections 366 IPC. Though the case was registered for cognizable offences, it appears that the the petitioner has married the daughter of the second respondent and they are living a happy marriage life.

<https://hcservices.ecourts.gov.in/hcservices/>

4.In these circumstances, it is also stated that the parents of



the accused as well as the girl, also accepted the marriage and in the interest of preserving the healthy marriage life, the parties have entered into a compromise. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed to quash the First Information Report in Crime No.109 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 and peculiar facts and circumstances, 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.109 of 2016 on the file of the first respondent police, namely, the Inspector of Police, Reddiarchathiram Police Station, Reddiarchathiram, Dindigul 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(RECORD)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Reddiarchathiram Police Station,
Reddiarchathiram
Dindigul District.

+1cc to Mr.J.LAWRANCE Advocate in SR. No. 80516

CMR

JS/JC/SAR.1/11.10.2017/2P-3C

Cr1.O.P.(MD) No.12494 of 2017
21.09.2017