



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2017

CORAM

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THE HONOURABLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) No.12498 of 2017

- 1.Nagarajan
- 2.Dinakaran
- 3.Karthick
- 4.Kottai @ Kottaichamy
- 5.Silambarasan
- 6.Sekar

...Petitioners/Accused No.A1 to 6.

-Vs-

- 1.The State represented by
The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram.

(In Crime No.183 of 2013)

...1st Respondent/Complainant

- 2.P.Samidurai

... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire record, relating to the FIR in Crime No.183 of 2013 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.M.S.Jeyakarthik
For R-1 : Mr.K.Anbarasan,
Government Advocate(Crl. side).
For R-2 : Mr.N.Ramesh Arumugam

O R D E R

This Criminal Original Petition has been filed to quash the entire record, relating to the FIR in Crime No.183 of 2013 on the file of the 1st respondent police.

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 given by the second respondent, against the petitioners, a case was registered in Crime No.183 of 2013, on the file of the first respondent police for the offences punishable under Sections 147, 148, 341, 323, 324 and 307 IPC r/w Section 120(b) IPC. The petitioners are the Accused Nos.1 to 6.

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4. It appears that 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 the 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.183 of 2013.

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.183 of 2013 on the file of the Inspector of Police, Paramakudi Town Police Station, Ramanathapuram 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

To

1. The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram.

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

+One cc to M/s.M.S.Jeyakarthick, Advocate, SR.No.80261

cmr

RL/4C/2P/KK/SAR1/11/10/2017