



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) No.12682 of 2017

M.Vinoth ...Petitioner/Accused (Rank not known)

-Vs-

1.State represented by
The Inspector of Police,
K.K.Nagar Police Station,
Trichy District.
(In Crime No.576 of 2017) ...1st Respondent/Complainant

2.S.Saravanan ... 2nd Respondent/De-facto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Crime No.576 of 2017, on the file of the first respondent and quash the same as far as the petitioner is concerned.

For Petitioners : Mr.P.Sathiyamoorthy
For R-1 : Mr.K.S.Durai Pandian
Additional Public Prosecutor
For R-2 : Mr.K.Palmurugan

O R D E R

This Criminal Original Petition has been filed to quash the records in Crime No.576 of 2017, on the file of the first respondent insofar as the petitioner is concerned.

2.Heard the learned Counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the first respondent and the learned Counsel appearing for the second respondent.

3.The petitioner is one of the accused in Cr.No.576 of 2017. Based on the complaint lodged by the second respondent, against the petitioner and three others, the case was registered in Crime No.576 of 2017, on the file of the first respondent police, for punishable under Sections 294(b), 323, 324 and 506 (ii) IPC.



4.It appears that the parties have settled their dispute amicably out of Court, on the advice of well wishers, elders and family members and the parties have also entered into a 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.576 of 2017, insofar as the petitioner is concerned.

5.The petitioner and the second respondent 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.576 of 2017, on the file of the first respondednt police / The Inspector of Police, K.K.Nagar Police Station, Trichy District is quashed insofar as the petitioner is concerned. 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(CSII)

/True Copy/

Sub-Assistant Registrar

To

(*)JOINT COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH

1.The Judicial Magistrate No.II, Trichy

2.The Inspector of Police,
K.K.Nagar Police Station,
Trichy District.

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

+One cc to Mr.P.Sathiyamoorthy, Advocate, SR.No.82596

cmr

RL/5C/2P/JC/SAR1/27/10/2017

Cr1.O.P.(MD) No.12682 of 2017