

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 09.10.2017****CORAM****THE HON'BLE MR.JUSTICE S.S.SUNDAR****Cr1.O.P.(MD) No.13457 of 2017****in****Cr1.M.P.(MD) No.9065 of 2017**

1.Athiyaman
2.Kalaikannan

... Petitioners/ Accused No.1 and 2

-Vs-

1. State rep. by,
The Inspector of Police,
C1, Palayamkottai Police Station,
Tirunelveli District,
(Crime No.606 of 2017)

... Respondent No.1/Complainant

2. Rajaguru

... Respondent No.2/Defacto
Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records in Crime No.606 of 2017 on the file of the Inspector of Police, C1, Palayamkottai Police Station, Tirunelveli District and quash the F.I.R. as against the petitioners.

For Petitioner : Mr.A.Rajini

For R-1 : Mr.K.S.Durai Pandian,
Additional Public Prosecutor

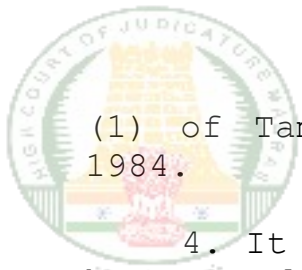
For R2 : Mr. A.Vadivel

ORDER

This Criminal Original petition is filed to call for records in Crime No.606 of 2017 on the file of the Inspector of Police, C1, Palayamkottai Police Station, Tirunelveli District and quash the F.I.R. as against the petitioners.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent and the learned counsel appearing for the second respondent.

3. On the basis of complaint lodged by the second respondent, the case was registered in Crime No.606 of 2017 as against the petitioners for the offence under Sections 147, 341 of IPC and 3



(1) of Tamil Nadu Prevention of Damage to Public Property Act, 1984.

4. It appears that the petitioners and the defacto complainant have settled their disputes amicably out of Court. They have also entered into a compromise. A joint compromise memo, dated 09.10.2017, signed by the petitioners and the second respondent in the presence of their respective counsel has been produced before this Court. As per the joint compromise memo, the defacto complainant has agreed for quashing the complaint against the petitioners.

5. The petitioners namely, accused Nos.1 and 2 and the second respondent are present before this Court today and expressed in unequivocal terms that they have signed in the Joint Compromise Memo on their own will and volition. The identities of the parties are verified with reference to the authenticated documents produced by the parties before this Court. The identities of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.

6. Having regard to the specific terms of the compromise memo, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, the criminal original petition is allowed and Crime No.606 of 2017, on the file of the Inspector of Police, C1, Palayamkottai Police Station, Tirunelveli District, is quashed in so far as the petitioners are concerned and the Joint Compromise Memo signed by the parties shall form part of the order. Consequently, connected Miscellaneous petition is closed.

ENCL: Joint Compromise Memo

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
C1, Palayamkottai Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CP/RMI
VB/KK/SAR4/13/10/2017/2P/3C