



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) No.13858 of 2017

WEB COPY

1.P.Mayakrishnan

2.M.Vanadevi

... Petitioners / accused 1 & 2

-Vs-

1. State rep. by

The Inspector of Police,
Kallikudi Police Station,
Madurai District.

(Crime No.118 of 2015)

... 1st Respondent /Complainant

2.B.Kandasami

3.V.Kumareshan

... 2 & 3 respondents/Defacto

Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records in Crime No.118 of 2015 dated 02.07.2015 on the file of the respondent Police and quash the same.

For Petitioners : Mr.S.Sivaprakash

For R-1 : Mr.K.S.Duraipandian

Additional Public Prosecutor

For R-2 & R3 : Mr.B.Viswanathan

O R D E R

This Criminal Original petition is filed to call for the records in Crime No.118 of 2015, dated 02.07.2015 on the file of the respondent Police and quash the same.

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 respondents 2 and 3.

3. On the basis of the complaint lodged by the respondents 2 and 3 / de facto complainants, a case was registered by the first respondent police in Crime No.118 of 2015 for the offences under Sections 406 and 420 of IPC against the petitioners.

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

4. It appears that parties viz., petitioners and the



respondents 2 and 3 / de facto complainants have settled their dispute amicably out of Court, at the instigation of the elders and well wishers and they have also entered into a compromise. A joint compromise memo signed by the parties concerned in the presence of their respective counsels is produced before this Court.

5. As per the joint compromise memo, the petitioners and the respondents 2 and 3, who have appeared before this Court have stated in unequivocal terms that the Joint Compromise Memo was signed by them 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 identity of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent Police.

6. In the Compromise Memo, the de facto complainants have agreed to withdraw the criminal case and the petitioners and the respondents 2 and 3 have requested this Court to quash the First Information Report in Crime No.118 of 2015, dated 02.07.2015 on the file of the respondent Police.

7. In the said circumstances, this Court is of the view that no useful purpose will be served by keeping this matter pending. Hence, on the basis of the compromise memo signed by the parties, the Criminal Original petition is allowed and the proceedings pending in Crime No.118 of 2015, dated 02.07.2015 on the file of the respondent Police is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

Encl.: Xerox Copy of Compromise Memo
To

1. The Inspector of Police,
Kallikudi Police Station,
Madurai District.

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

+ 1 CC TO MR.S. Sivaprakash, ADVOCATE IN SR No.83112

trp

MK/MR KKR/SAR-3/07.11.2017/2P/4C