



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2017

CORAM

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THE HON'BLE MR.JUSTICE S.S.SUNDARCrl.O.P.(MD) No.14183 of 2017

1.Ganeshwari

2.N.Manoharan

3.M.Suganthi

4.M.Pethuraj

... Petitioners / Accused No.
1 to 4

-Vs-

1. The State Represented by its
Sub Inspector of Police,
B1 Villakkuthoon Police Station,
Madurai.
(Cr.No.69 of 2010)

2. T.Madanrajan

...Respondents / Complainant /
Defacto Complainant

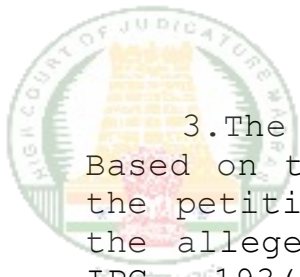
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records of the case in Cr.No.69 of 2010 pending on the file of B1 Vilakkuthoon Police Station, Madurai and quash the same.

For Petitioners	: Mr.V.Palani
For R1	: Mr.K.S.Durai Pandian Additional Public Prosecutor
For R2	: Mr.S.J.Chakkaravarthy

ORDER

This Criminal Original Petition has been filed to call for the records of the case in Cr.No.69 of 2010 pending on the file of B1 Vilakkuthoon Police Station, Madurai and quash the same.

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



3.The petitioners are accused Nos.1 to 4 in Cr.No.69 of 2010. Based on the complaint lodged by the second respondent as against the petitioners, the case was registered in Cr.No.69 of 2010 for the alleged offences under Sections 341, 323, 294(b) and 506(ii) IPC., 193(c) IPC.

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4.It appears that the parties have settled their dispute amicably out of Court and they have also entered into a compromise, on the advice of well wishers and their family friends in the village. A Joint Compromise Memo, signed by both parties, in the presence of their respective counsel, is also filed before this Court. As per the terms of the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has no objection for quashing the case in Cr.No.69 of 2010.

5.The learned Additional Public Prosecutor, on instructions, submitted that the name of the first petitioner is deleted from the First Information Report.

6.The parties appeared before this Court and expressed in unequivocal terms that they have signed the Joint Compromise Memo on their own free will and 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 Additional Public Prosecutor, through the first respondent police.

7.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 case in Crime No.69 of 2010, on the file of the first respondent / The Sub Inspector of Police, B1 Villakkuthoon Police Station, Madurai, is quashed in *toto*. The Joint Compromise Memo signed by the parties shall form part of the order.

8.Accordingly, the Criminal Original petition is allowed.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

Encl.: Xerox Copy of Compromise Memo

To

<https://hcservices.hc.madurai.judiciary.gov.in/HCServices>
The Sub Inspector of Police,
B1 Villakkuthoon Police Station,
Madurai.



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

+1 CC TO MR.S.J.Chakkaravarthy, ADVOCATE IN SR No. 84514

mm

MK/KK/SAR-1/13.11.2017/3P/4C

Cr1.O.P.(MD) No.14183 of 2017
31.10.2017