



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2017

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THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

Crl.O.P.(MD) No.14519 of 2017

P.Mani@Manikandan ... Petitioner / Accused No.1

-Vs-

1.State represented by  
The Inspector of Police,  
Thermal Nagar Police Station,  
Thoothukudi District.  
(In Crime No.118 of 2017) ...1<sup>st</sup> Respondent/ Complainant

2.Vinu ... 2<sup>nd</sup> Respondent/De-facto Complainant

**Prayer:** Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records in relating to the entire proceedings of the FIR in Crime No.118 of 2017 on the file of the first respondent police and quash the same as against the petitioner.

|                |                              |
|----------------|------------------------------|
| For Petitioner | :Mr.R.Karunanidhi            |
| For R-1        | :Mr.K.S.Durapandian          |
|                | Additional Public Prosecutor |
| For R-2        | :Mr.C.Joseph Sathianeson     |
|                | ****                         |

### **O R D E R**

This Criminal Original Petition has been filed to quash the FIR in Crime No.118 of 2017 on the file of the first respondent police as against the petitioner.

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 the first accused in Crime No.118 of 2017. On the basis of complaint lodged by the second respondent, a case was registered in Crime No.118 of 2017, by the first respondent police, for the alleged offences under Sections 153A, 506, 505(2) and 506(ii) IPC.

4.It appears that the petitioner and the second respondent have settled their dispute amicably out of Court and they have also



entered into a compromise. A Joint Compromise Memo, dated 23.10.2017, signed by both parties, in the presence of their respective counsel, is also produced before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the second respondent has agreed for quashing the First Information Report in Crime No.118 of 2017, as against the petitioner alone.

5.Today, 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 Additional Public Prosecutor 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 Crime No.118 of 2017 pending on the file of the first respondent police, namely, the Inspector of Police, Thermal Nagar Police Station, Thoothukudi District is quashed insofar as the petitioner concerned. The Joint Compromise Memo signed by the parties shall form part of the order. Accordingly, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,  
Thermal Nagar Police Station,  
Thoothukudi District.

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

+2ccs to Mr.R.KARUNANIDHI Advocate in SR. No. 84499

CMR

JS/SKN.RSK/SAR.1/7.11.2017/2P-5C

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