



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDARCrI.O.P.(MD) No. 14664 of 2017

WEB COPY

1.Ayyappan

2.Mariappan

3.Asarimani @ Mani

4.Asari Mariappan @ Mariappan

5.Murugesh

6.Muthu @ Muthukrishnan

... Petitioners/Accused No.

1 to 6

-Vs-

1. The State Represented by
The Assistant Commissioner of Police,
Palayamkottai (L & O)
Tirunelveli.

2. The Inspector of Police,
Tirunelveli Medical College Police Station,
Tirunelveli City.
(Crime No.197 of 2017)

... Respondents 1&2 / Complainants

3.Partha Sarathy

... 3rd Respondent / Defacto
Complainant

4.Vijaya

5.Sundarajan

... Respondents 4 & 5 / Injured

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the entire records relating to the entire proceedings of the FIR in Cr.No.197 of 2017 on the file of the 2nd respondent and quash the same.

For Petitioners : Mr.S.R.Durai Raj
For R1 & R2 : Mr.K.S.Durai Pandi
Additional Public Prosecutor
For R3 to R5 : Mr.N.Ramesh Arumugam

ORDER

The Criminal Original Petition has been filed to call for the entire records relating to the entire proceedings of the FIR in Cr.No.197 of 2017 on the file of the 2nd respondent and quash the same.



2. Heard the learned counsel appearing for the petitioners, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and the learned counsel appearing for the respondents 3 to 5.

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3. The petitioners are accused No.1 to 6 in Cr.No.197 of 2017. Based on the complaint lodged by the third respondent as against the petitioners, a case was registered in Crime No.197 of 2017 for the offences punishable under Sections 147, 148, 341, 294(b), 342, 324 & 506(ii) IPC and r/w Sections 3(1)(r)(s) and 3(2)(va) of SC/ST(POA) Amendment Act, 2015, on the file of the first respondent police.

4. It appears that the petitioners and the respondents 3 to 5 have settled their dispute amicably out of Court and they have also entered into a compromise, on the advise of elders and their well wishers. A Joint Compromise Memo, dated 27.10.2017, signed by both parties, in the presence of their respective counsel, is also filed before this Court. As per the Joint Compromise Memo, the de-facto complainant, namely, the third respondent has no objection for quashing the FIR in Cr.No.197 of 2017.

5. 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 respondent police.

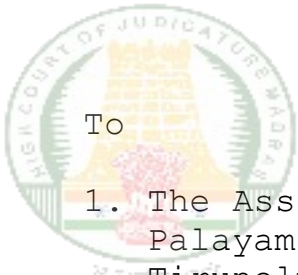
6. Having regard to the specific terms of the Joint Compromise Memo, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending. Hence the FIR in Cr.No.197 of 2017, on the file of the second respondent / The Inspector of police, Tirunelveli Medical College Police Station, Tirunelveli City, is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

7. Accordingly, this Criminal Original petition is allowed.

Sd/-
Assistant Registrar (crl side)

/True copy/

Sub Assistant Registrar



To

1. The Assistant Commissioner of Police,
Palayamkottai (L & O)
Tirunelveli.

2. The Inspector of Police,
Tirunelveli Medical College Police Station,
Tirunelveli City.

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

+ 1 CC TO MR.M.S.Jeyakarthik, ADVOCATE IN SR No. 84789
mm
MK/KK/SAR-1/13.11.2017/3P/5C

Crl.O.P.(MD) No. 14664 of 2017
31.10.2017