



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP (MD) No.14682 of 2017

1. Antony Raj
2. Chinnadurai ... Petitioners/Accused Nos.1 & 2

Vs.

1. The Sub Inspector of Police,
Sayarpuram Police Station,
Sayarpuram,
Thoothukudi District.
(Crime No.155 of 2017) ... 1st Respondent/Complainant

2. Suresh ... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to quash the First Information Report in Crime No.155 of 2017, dated 18.08.2017 on the file of the first respondent police and to quash the same as illegal.

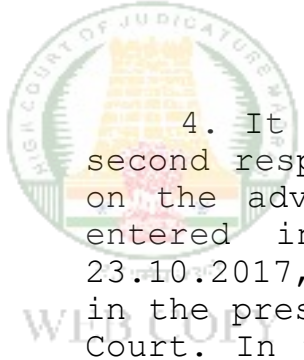
For Petitioners : Mr.S.Sivanesan
For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.
For R-2 : Mr.L.Prabakaran

O R D E R

This Criminal Original petition is filed for quashing the First Information Report in Crime No.155 of 2017, dated 18.08.2017 on the file of the first respondent police.

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

3.The petitioners are the accused Nos.1 and 2 in Crime No.155 of 2017 on the file of the first respondent police. On the basis of the complaint lodged by the second respondent/de-facto complainant, a case was registered in Crime No.155 of 2017, dated 18.08.2017, for the alleged offences under Sections 294(b), 323 and 506(i) of I.P.C., r/w with Section 3 of T.N.P.P.D.L. Act.



4. It appears that the parties, namely, the petitioners and the second respondent have settled their dispute amicably out of Court, on the advise of the elders and villagers. The parties also have entered into a compromise. The Joint Compromise Memo, dated 23.10.2017, signed by the petitioners and the de-facto complainant in the presence of their respective counsels is produced before this Court. In the Joint Compromise memo, it is stated that the parties have agreed for quashing the First Information Report in Crime No.155 of 2017 on the file of the first respondent.

5. The parties, namely, the petitioners and the second respondent 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.

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, on the basis of the Joint Compromise Memo signed by the parties, the Criminal Original petition is allowed and the First Information Report in Crime No.155 of 2017, dated 18.08.2017 on the file of the first respondent police, is quashed in respect of the petitioners herein. 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 Sub Inspector of Police,
Sayarpuram Police Station,
Sayarpuram, Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.S.SIVANESAN, ADVOCATE IN SR No. 84765