



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.14800 of 2017

1.P.Jerribai
2.A.Salomon

... Petitioners

-Vs-

1.State of Tamil Nadu
rep. by the Inspector of Police,
Kollencode Police Station,
Kollencode, Kanyakumari District.

2.T.John Peter

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to call for the records pertaining to the FIR in Crime No.281 of 2017 on the file of the first respondent and quash the same.

For Petitioners	:	Mr.C.K.M. Appaji
For R-1	:	Mr.K.S. Duraipandian
		Additional Public Prosecutor
For R-2	:	Mr.P. Murthy

O R D E R

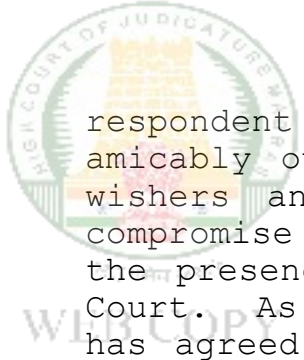
This Criminal Original petition is filed to call for the records pertaining to the FIR in Crime No.281 of 2017 on the file of the first respondent and quash the same.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent no. 1 and the learned counsel appearing for the second respondent.

3. The petitioners are accused nos. 1 and 2 in Crime No. 281 of 2017 on the file of the respondent police. On the basis of the complaint preferred by the second respondent / de facto complainant, a case was registered by the first respondent police in Crime No.281 of 2017 for the offences under Sections 294(b), 323 and 506 (i) of IPC.

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

4. It appears that parties viz., petitioners and the 2nd



respondent / de facto complainant 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 dated 02.11.2017 signed by the parties concerned in the presence of their respective counsels is produced before this Court. As per the joint Compromise Memo, the de facto complainant has agreed to withdraw the criminal case and the petitioners and the second respondent have requested this Court to quash the proceedings in Crime No. 281 of 2017 on the file of the first respondent Police.

6. The parties appeared before this Court and expressed in unequivocal terms that they have signed in the Joint Compromise Memo 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 identities of the parties are also confirmed by the learned Additional Public Prosecutor through the first respondent police.

6. 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 First Information Report pending in Crime No.281 of 2017 on the file of the first respondent Police is quashed in toto. The Joint Compromise Memo signed by the parties shall form part of the order.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

Encl: The Joint Compromise Memo signed by the Parties shall form part of the Order

1. The Inspector of Police,
Kollencode Police Station,
Kollencode, Kanyakumari District.

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

+1cc to Mr.C.K.M.APPAJI Advocate in SR. No. 84881

TRP

JS/JC/SAR.3/20.11.2017/2P-4C

Cr1.O.P. (MD) No.14800 of 2017
02.11.2017